***THE HON'BLE MR JUSTICE L.NARASIMHA REDDY**

WRIT PETITION Nos : 2749 of 2005 & Batch

% 24.02.2005

Between:

1 A.Hanumantha Rao, S/o.Anjaneyulu,
Gayathri Wines, D.No.5-17, Martoor, Prakasam Dist. & others

..... PETITIONERS

AND

1 The Govt. of A.P., Revenue (Excise-II) Dept., Secretariat, Hyderabad.
2 The Commissioner, Prohibition and Excise, Hyderabad.
3 The Prohibition and Excise Superintendent, Ongole, Prakasam Dist.

.....RESPONDENTS

! COUNSEL FOR THE PETITIONERS: Sri S.Ramchander Rao,Sri M.Brahma Reddy & others

^ COUNSEL FOR THE RESPONDENTS: Advocate General, G.P for Prohibition & Excise

< Gist:

> Head Note:

? CITATIONS:

[1] AIR 2002 SC 2968

[2] AIR 2003 SC 1096

[3] 2003(5) SCC 437

[4] 2004(9) SCALE 604

[5] *AIR 1972 SC 1863*

[6] *AIR 1996 SC 1627*

[7] *AIR 1997 SC 128*

[8] *AIR 2001 SC 1447*

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FOURTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NOs: 2358 of 2005 & Batch

W.P.NO. 2358 OF 2005

Between:

1 M/s. Madhu Wines, Paravada, K. Sanyasi naidu, S/o. Eswara Rao, R/o. Gajuwaka, Visakhapatnam.
2 M/s. Simhadhri Wines, Vennapalem Jn. Parawada Reddy Sankara Rao,

S/o. Appalanaidu, R/o. Maddipalem, Visakhapatnam.
3 M/s. Sri Purnasudha Wines, Paravada, Gogineni Sudhakar Rao,

S/o. Appaiah, R/o. Gajuwaka, Visakhapatnam.
4 M/s. Anjali Geethanjali Wines, Naidupalem, Pyla Ramana Murthy,

S/o. Demudu, R/o. Venkatapathipalem, Visakhapatnam.
5 M/s. Simhadri Wines, Thonam Village Pyla Appa Rao,

S/o. Kittayya Naidu, R/o. Thanam, Visakhapatnam.
6 Ms. Sri Pydimamba Wines, Paravada, R.V. Ramana, S/o. Sreeramulu, r/o. Gavaraopalem, Anakapalle, Visakhapatnam.
7 M/s. Balaji Wines, Dharmar Rayudupeta, Konathala Suri Jagga Rao,

S/o. Sanyasayya, R/o. Gavarapalem, Anakapalle, Visakhapatnam.
8 M/s. Sri Sai Surya Wines, Pandivanipalem, R. Butchi Rao,

S/o. Appala Naidu, r/o. Rajannaplem, Visakhapatnam.
9 M/s. Sri Sai Wines, Polipalli, L. Ramu, S/o. Sreeramulu,
r/o. Rajannaplem, Visakhapatnam.
10 M/s. Polamamba Wines, Vutagedda Jn. Ravada Panchayat,

Vechelap Satyam, S/o. Durginaidu, R/o. Desapathinapalem,

Visakhapatnam.
11 M/s. Sri Lakshmi Ganesh Wines, thanam, R. Prabhakra Rao, S
R/o. Sabbavaram, Visakhapatnam.
12 M/s. Steel City Beer & Wines Desaparunipalem, B. Ramakrishna Raj,

S/o. Varahala Raju, R/o. Chodavaram, Visakhapatnam.
13 M/s. Sri Durga Wines, Desapatrunipalem, Ch. Jyothi Srinivas, S/o.

Krishna Rao, R/o. Desapathinapalem, Parawada mandal, Visakhapatnam.
14 M/s. Naidu Wines, Kasimkota, Kotini Kondala Rao, S/o. Adinarayana,
r/o. Kasimkota, Visakhapatnam.
15 M/s. Sri Durga Wines, Kasimkota, Konatham Adinaryana,

S/o. Suryanarayana, r/o. Kasimkota, Visakhapatnam.
16 M/s. Preethama Wines, Kasimkota, Smt. Peela Haritha, W/o. P. Shyam

Ganesh, R/o. Anakapalle, Visakhapatnam.
17 M/s. Manohara Wines, Narasinga Balli, Palamarasetti Appa Rao,

S/o. Jagannadham, R/o. Anakapalle, Visakhapatnam.

18 M/s. sri Balaji Wines, Kannurupalem, Sakala Govinda Rao, S/o. Venkata

Ramana, R/o. Gavarapalem, Anakapalle, Visakhapatnam.
19 M/s. Nookambica Wines, Tallapalem, Mallampati Danjay,

S/o. Ramakotayya, R/o. Tallapalem, Visakhapatnam.
20 M/s. Sri Sai Wines, Thallapalem, A.V. Satyanarayana, S/o. Appa Rao,
R/o. Munagapaka, Visakhapatnam.
21 M/s. Manohara Wines, Bayyavaram, K. Seetharam, S/o. Nookanna,
R/o. Anakapalle, Visakhapatnam.
22 M/s. Sri Laxmi Wines, Kasimkota, G.R.K. Prasad, S/o. Seshagiri Rao,
R/o. Anakapalle, Visakhapatnam.
23 Ms/s. Manohara Wines, Chowduwada, Bh. Seetharama Raju,

S/o. Sreerama Murthy Raju, R/o. Anakapalle, Visakhapatnam.
24 M/s. Naidu Wines, Kondakarla Junction, P. Srinivasa Raju,

S/o. Nooka Raju, R/o. Anakapalle, Visakhapatnam.
25 M/s. Sri Venkata Ramana Wines, Kothuru Village Bh. Rama Krishna,

S/o. Appalanaidu, R/o. Anakapalle, Visakhapatnam.
26 M/s. Sri /Nookambica Wines, Koduru, A. Sankara Rao, S/o. Nookaraju,
R/o. Anakapalle, Visakhapatnam.

... PETITIONERS

AND

1 The Special Chief Secretary, Revenue (Excise-II) Department,
Government of Andhra Pradesh, Secretariat Buildings, Hyderabad.
2 The Commissioner, Prohibition & Excise,
Government of Andhra Pradesh, Hyderabad.
3 Deputy Commissioner, Prohibition & Excise,
Visakhapatnam.
4 The Excise Superintendent, Prohibition and Excise,
Visakhapatnam.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring G.O.Ms.No. 184 dt. 7-02-2005 issued by the Government of Andhra Pradesh, Revenue (Excise-II) Department as unconstitutional illegal and arbitrary and consequently set aside the same and direct the respondents to consider renewal of the existing licences in accordance with law.

COUNSEL FOR THE PETITIONERS: MR.P.Sri Raghu Ram

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2394 of 2005

Between:

1 M/s. New Continental Wines, H.No. 64-3-8, Malkapuram,
Opp: Mahalaxmi Talkies, Visakhapatnam.
Rep. by its owner B. Satyanarayana Raju.
2 M/s. Gouri Parameswari Wines, D.No. 6-10-23,
Velpulaveedhi Road, Main Road, Anakapalli, Visakhapatnam.
Rep. by its owner P. Raja Rao
3 M/s. Tirumala Wines, D.No. 1-135,
Chinamusidiwada, Visakhapatnam.
Rep. by its owner V. Ramakrishna Naidu,
4 M/s. Ratnam Wines, D.No. Araku Valley,
Visakhapatnam. Rep. by its owner G. V. Satyanarayana,
5 M/s. Medha Mamba Wines, Paderu,
Old Bus Stand, Visakhapatnam.
Rep. by its owner Ch. Suryanarayana.
6 M/s. Manikanta Wines, Hukumpeta,
Visakhapatnam. Rep. by its owner N. Ramakrishna,
7 M/s. Sarada Wines, Paderu,
Visakhapatnam. Rep. by its owner V. Srinivasa Rao,
8 M/s. Sri Satya Wines, Aganampudi,
Gajuwaka, Visakhapatnam.
Rep. by its owner B. Penta Rao,
9 M/s. R. K. Wines, Aganampudi,
Gajuwaka, Visakhapatnam.
Rep. by its owner G. Govinda Rao,
10 M/s. Nookambica Bear & Wines, Moosaiahpeta,
Visakhapatnam. Rep. by its owner M. Venkata Ramana.
11 M/s. Sri Sai Durga Wines, Lankelapalem,

Visakhapatnam. Rep. by its owner E. Gurunadha Rao.

12 M/s. Kiran & Kiran Wines, D. No. 6-59,
Lankelapalem to Asakapalli Road, Parawada Mandal,
Visakhapatnam District. Rep. by its owner G. Venu Gopal,

13 M/s. Naidu Wines, Addu Road,
Pedagummuloor, Visakhapatnam.
Rep. by its owner A. Rajulu,

14 M/s. Parameswari Wines, Darlapoodi,
S. Rayavaram Mandal, Visakhapatnam District.
Rep. by its owner Kiran Kumar,

15 M/s. Krishnaveni Wines, P. Dharmavaram,
Visakhapatnam. Rep. by its owner P. V. Satyanarayana,

16 M/s. Maruthi Wines, Dimili,
Rambilli Mandal. Visakhapatnam District.
Rep. by its owner S. Harinadha Rao,

17 M/s. Venkateswara Wines, Nakkalapalli,
Visakhapatnam. Rep. by its owner D. Raja Gopal Raju,

18 M/s. Raghu Wines, Rambilli.
Visakhapatnam District. Rep. by its owner Ch. Jagannadha Raju,

19 M/s. Manohara Wines, H.No. 3/41, Appalarajupalem,
Visakhapatnam. Rep. by its owner S. Bhaskar Reddy,

20 M/s. Sri Sai Wines, Lakkavaram.
Visakhapatnam. Rep. by its owner Sri Devi,

21 M/s. Gouthami Wines, D. No. 4-37/2, Chinna Bazar,
Chodavaram. Visakhapatnam District.
Rep. by its owner K. L. G. Bhaskar Reddy,

22 M/s. Naidu Wines, Medivada,
Visakhapatnam. Rep. by its owner Chalapati Rao,

23 M/s. Kamala Priya Wines, Bus Stand, Madugula,
Visakhapatnam. Rep. by its owner P. Lakshmi Narayana,

24 M/s. Lakshmi Wines, Main Road, Butchaiapeta,
Visakhapatnam. Rep. by its owner M. Karan Banu,

25 M/s. Mohini Wines, Besides Main Road, Vaddadi,
Visakhapatnam. Rep. by its owner M. A. Kareem,

26 M/s. Ramakrishna Wines, H. No. 5/14, Relugunta,
Visakhapatnam. Rep. by its owner G. Krishna Murthy Naidu,

27 M/s. Priya Wines, Main Road, Narsipatnam.
Visakhapatnam District. Rep. by its owner L. Srinivasa Rao,

28 M/s. Sri Kodanda Rama Wines, Pedabodapalli,
Visakhapatnam. Rep. by its owner B. Butchaiah Naidu,

29 M/s. R. K. Wines, Purushothapuram, Munagapaka Mandal,
Visakhapatnam District. Rep. by its owner K. Soma Raju,

30 M/s. Devi Wines, H. No. 14-112, Kotauratla.
Visakhapatnam District. Rep. by its owner Smt. K. Krupavathi,

31 M/s. Raja Wines, Market Road, Ponduru.
Srikakulam District. Rep. by its owner K. Raja Rao,

32 M/s. Ratnam Wines, H. No. 1-30, Ponduru.
Srikakulam District. Rep. by its owner G. Mohan Rao,

33 M/s. Rangamamba Wines, Vandrangi Village, G. Sigadam Mandal,
Srikakulam District. Rep. by its owner B. Srinivasa Rao,

34 M/s. Durga Beer & Wines, H. No. 3-134, Ponduru.
Srikakulam District. Rep. by its owner Subba Rao,

35 M/s. Shanti Wines, Main Road, G. Sigadam, Srikakulam.
Rep. by its owner S. Lakshmana Rao,

36 M/s. Sree Wines, H. No. 8-2-82, Lakshminagar Junction,
Amudalavalasa. Srikakulam District. Rep. by its owner K. Koteswara Rao,
37 M/s. Haripriya Wines, H. No. 121, Kotha Road Junction,
Thotada. Srikakulam District. Rep. by its owner K. Kalidas,
38 M/s. Konark Wines, H. No. 8-3-99, Main Road, Amudalavalasa.
Srikakulam District. Rep. by its owner V. Satyanarayana Raju,
39 M/s. Sri Devi Wines, H. No. 8-3-116, Main Road, Amudalavalasa.
Srikakulam District. Rep. by its owner V. Srirama Raju,
40 M/s. Bhavani Wines, Polaki village. Srikakulam District.
Rep. by its owner P. Laxmi,
41 M/s. Ratnam Wines, Challavanipeta Junction,
Jalumuru Mandal. Srikakulam District. Rep. by its owner B. Venkata Rao,
42 M/s. Uma Wines, H. No. 2-11, Challavanipeta Junction,
Srikakulam District. Rep. by its owner D. Swami Babu,
43 M/s. Sri Lakshmi Wines, Jalumuru. Srikakulam District.
Rep. by its owner A. A. Prakash Rao,
44 M/s. Sri Durga Wines, Chellavanipeta village. Jalumuru Mandal.
Srikakulam District. Rep. by its owner P. Ramachandra Rao,
45 M/s. Sai Wines, Yendapallivalasa, Aruku Mandal.
Visakhapatnam District. Rep. by its owner V. Sreedhara Rao,

46 M/s. Raja Wines, H. No. 12, Pydibheemavaram,
Rangstalam Mandal. Srikakulam District. Rep. by its owner D. Appala Narasimha Raju,
47 M/s. Sri Surya Wines, Pydibheemavaram,
Rangstalam Mandal. Srikakulam District. Rep. by its owner Velupuri Kamulu,
48 M/s. Durga Wines, H. No. 5-43(D), Laveru.
Srikakulam District. Rep. by its owner K. Veera Swamy,
49 M/s. Tirumala Wines, Murapaka village, Laveru Mandal,
Srikakulam District. Rep. by its owner M. Appa Rao,
50 M/s. Janapriya Wines, Navabharat Junction, Kuselapuram (V),
Etcherla Mandal, Srikakulam District. Rep. by its owner B. Satyanarayana,

... PETITIONERS

AND

1 The State of Andhra Pradesh, Rep. by its Secretary,
Revenue (Excise -II) Department, Secretariat, Hyderabad.
2 The Commissioner, Prohibition & Excise, Hyderabad.
3 The Superintendent of Excise, Visakhaptnam.
4 The Superintendent of Excise, Srikakulam.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, order or direction, more particularly one in the nature of Writ of Mandamus: (i) declaring the G.O.Ms.No. 184, dated 7-2-2005, as arbitrary, illegal, violative of Articles 14, 21 & 300A of Constitution of India and consequently set aside the same; and be pleased to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

COUNSEL FOR THE PETITIONERS: MR.A.SUDERSHAN REDDY

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

-

WRIT PETITION NO : 2478 of 2005

Between:

1 Y. Prameelamma, W/o. Y. Nagabhushanam,
R/o. Bellary Bypass Road, Anmanthapur district.
Licensee of Sri Malleswara Wines.
2 P.S.R. Venkat Rao, S/o. Mallikarjuna Rao,
R/o. Dammapet, Khammam District.
Licensee of M/s.Sri Laxmi Wines.
3 K. Seetharamaiah, S/o. Ananda Rao,
R/o. Karepally X Roads, Viswanadhapally, Khammam District.
Licensee of Sai Sri Wines.
4 K. Sasidhar, S/o. Bhadraiah,
R/o. Garla, Khammam District.
Licensee of M/s.Kanakadurga Wines.

5 A. Venkateshwar Rao, s/o. Narayana Rao,
R/o. Mahabubabad, Warangal District
Licensee of Sri Venkateshwara Wines.
6 N. Mallikarjun, S/o. Nagaiah,
r/o. Station Road, Dornakal, Warangal District.
Licensee of M/s. Kanaka Durga Wines.
7 G. Yugender, S/o. Raghavaiah,
r/o. Station Road, Dornakal, Warangal District.
Licensee of New Ravindra Wines.
8 K. Venkat Reddy, S/o. Bixamaiah,
R/o. Nehru Road, Mahabubabad, Warangal District
Licensee of M/s. Samrat Wines
9 J. Rajeshwar Rao, S/o. Buchaiah,
R/o. Old Town, Mahabubabad, Warangal District
Licensee of M/s.Sri Kanakadurga Wines.
10 P. Venkateswarlu, S/o. Cheralu,
R/o. New Bazar, Mahabubabad, Warangal District.
Licensee of Sri Ajanta Wines.
11 G. Sampath Kumar, S/o. Komuraiah,
R/o. Bye-Pass Road, Mahabubabad, Warangal District.
Licensee of Sri Shivaji Wines.
12 G. Sudhakar Reddy, S/o. Pulla Reddy,
r/o. Old Bazar, Mahabubabad, Warangal District.
Licensee of Sri Wines.
13 G. Murali Krishna, S/o. Narayana,
Mahabubabad, Warangal District.
Licensee of Saptagiri Wines.
14 Y. Jaya Ram, S/o. Subbaiah,
R/o. Porumamilla, Kadapa District.

Licensee of Sri Lakshmi Venkateswara Wines.

15 P. Rama Satish Kumar, S/o. P.L. Narayana Reddy,
R/o. Porumamilla, Kadapa District.
Licensee of Sai Ram Wines.

16 P.V. Krishnaiah, S/o. P. Ramaiah,
R/o. Porumamilla, Kadapa District.
Licensee of Krishna Wines.

17 K. Madhav Reddy, S/o. K. Veera Reddy,
R/o. Dorumamilla, Kadapa District.
Licensee of Gopi Krishna Wines.

18 K. Prasanth Shetty, s/o. Shekar Shetty,
R/o. P.N. Road, Adoni, Kurnool district.
Licensee of M/s. Adoni Beer & Wines

19 K. Nagesh Sheety, S/o. K. Buddu Shetty,
Alur Road, Adoni, Kurnool district.
Licensee of Ravi Wines.

20 P. Sridhar Reeddy, S/o. P. Ramakrishna Reddy,
M.M Road, Adoni, Kurnool district.
Licensee of M/s. Maharaja Wines.

21 E. Gopal Gowd, S/o. E. Anjaneyulu Goud,
M.M Road, Adoni, Kurnool district.
Licensee of M/s. Sai Wines,

22 S. Ranga Swamy, S/o. S. Narayanappa,
Adoni, Kurnool district.
Licensee of M/s. Lucky Wines.

23 G. Sateesh Kumar, S/o. G. Nagendra,
Adoni, Kurnool district.
Licensee of M/s. Saptagiri Wines.

24 K. Srinivasulu, S/o. K. Hanumanthappa,
Kurnool road, Adoni, Kurnool district.
Licensee of M/s. Deepthi Wines.

25 E. Lakshmanna Goud, S/o. E. Goud,
Prabhakar Talkies Road, Adoni, Kurnool district.
Licensee of M/s. Royal Wines.

26 E. Govindu Goud, S/o. E. Eranna Goud,
Main Road, E. Belgal, Kurnool district.
Licensee of M/s. Siva Sai Wines.

27 N. Khaja Hussain, S/o. N. Mabusab,
Main Road, E. Belgal, Kodumur Tq., Kurnool district.
Licensee of M/s. Ahalya wines.

28 T. Seshadri, S/o. Hanumanthappa,
Adoni, Kurnool district.
Licensee of M/s.Balaji Wines.

29 D. Anantha Reddy S/o. Ramachandra /Reddy,
R/o. Padmavathi Colony, Mahaboobnagar.
Licensee of M/s. New Tirumala Wines.

30 Shivanagari Pratap Reddy, S/o. Kumara Reddy,
R/o. Teachers Colony, Mahaboobnagar.
Licensee of M/s. Palamoor Wines.

31 M. Bal Raju, S/o. Narasimlu,
R/o. Hanmanpur, Mahaboobnagar.
Licensee of M/s. Chandraa Wines.

32 Smt. M.G. Vasudha, W/o. Late M.G. Srinivasulu,
R/o. Padmavathi Colony, Mahaboobnagar.

Licensee of M/s. Naveena Wines.

33 Sai Baba, S/o. Karmaiah,
R/o. Kiran Nagar, Mahaboobnagar.
Licensee of M/s. Vasudha Wines.

34 K.E. Vemanna Goud, S/o. K.E. Narayana Goud,
R/o. Nandanpally, Kurnool district.
Licensee of M/s.Yellamma Gayathri Wines.

35 Ramesh Goud, S/o. Shankar Goud,
R/o. Mahaboobnagar.
Licensee of M/s. New Vasudha Wines.

36 T. Laxminaryana, S/o. Jangaiah,
R/o. Mettugadda, Mahaboobnagar.
Licensee of M/s. Bhawani Wines.

37 G. Devender, S/o. Hanmaiah,
R/o. Koilkond, Kailkonda Mandal, Mahaboobnagar.
Licensee of M/s. Kailkonda wines.

38 N. Veerappa, s/o. N. Bachaiah,
r/o. Nawabpet, Mahaboobnagar.
Licensee of M/s. Raghavendra Wines.

39 P. Srinvas Yadav, s/o. P. Venkataiah,
R/o. Yemngonda, Mahaboobnagar.
Licensee of M/s. Gokul Wines.

40 P. Sudhakar Goud, S/o. P. Balakrishnaiah Goud,
R/o. Subhash Nagar, Mahaboobnagar.
Licensee of M/s. New Bhawani Wines

41 Smt. Govindamma, W/o. Late K. Narsappa,
r/o. Narayanpet, Mahaboobnagar.
Licensee of M/s. Krishna Wines.

42 D. Krishna, S/o. Balappa,
R/o. Narayanpet, Mahaboobnagar.
Licensee of M/s. Anand Wines.

43 Vadendra Talampally, S/o. T. Basaiah,
R/o. Narayanpet, Mahaboobnagar.
Licensee of M/s. Anuraag Wines.

44 S. Chandrasekhar Reddy, S/o. Hanumanth Reddy,
R/o. Narayanpet, Mahaboobnagar.
Licensee of M/s. Manju Wines.

45 R. Ramesh Kumar goud, S/o. Narasimlu Goud,
r/o. Subhash Road, Narayanapet, Mahaboobnagar Dist..

46 M. Venkataiah Goud, S/o. Magulappa Goud,
r/o. Kausampally, Damargidda Mandal, Mahaboobnagar district.
Licensee of M/s. Venkateshwara Wines.

... PETITIONERS

AND

1 The Special Chief Secretary, Revenue (Excise-II) Department,
Government of Andhra Pradesh, Secretariat Buildings, Hyderabad.

2 The Commissioner, Prohibition & Excise,
Government of Andhra Pradesh, Hyderabad.

3 The Excise Superintendent, Prohibition & Excise, Ananthapur,
Ananthapur District.

4 The Excise Superintendent, Prohibition & Excise, Kurnool, Kurnool District.
5 The Excise Superintendent, Prohibition & Excise, Khammam, Khammam District.
6 The Excise Superintendent, Prohibition & Excise, Kadapa, Kadapa District.
7 The Excise Superintendent, Prohibition & Excise, Warangal, Warangal District.
8 The Excise Superintendent, Prohibition & Excise, Mahaboobnagar, Mahaboobnagar District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one int he nature of Writ of Mandamus declaring G.O.Ms.No.184 dated 7-2-2005 issued by the Government of Andhra Pradesh, Revenue (Excise-II) Department as unconstitutiona, illegal and arbitrary and consequetnly set-aside the same and direct the respondents to consider renewal of the existing licensees in accordance with law, and pass such other order or orders as this Hon'ble Court may deem fit and proper.

COUNSEL FOR THE PETITIONERS: MR.G.V.S.MEHAR KUMAR

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2489 of 2005

Between:

M/s Sri Durga Wines, Gannavaram, rep. by Licensee Thummala Rama Mohan Rao, S/o Venkateswara Rao, age 45 years, r/o Gannmavaram, Krishna District.

... PETITIONER

AND

1 Government of Andhra Pradesh, rep. by Special Chief Secretary,

Revenue (Excise) Department, Secretariat, Hyderabad.
2 Commissioner of Prohibition and Excise, Government of Andhra Pradesh,

Nampally, Hyderabad.
3 Prohibition and Excise Superintendent, Krishna District at Machilipatnam.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring G.O.Ms.No. 991 Revenue (Excise-II) Department, dt. 4-12-2004 and G.O.Ms.No. 184 Revenue (Excise.II) Department, dt. 7-2-2005 as unconstitutional, unreasonable, irrational and ultra-vires of the act and consequently set aside the same and pass such other orders as may deem fit.

COUNSEL FOR THE PETITIONER: MR.P.BALAMUKUNDA RAO

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2502 of 2005

Between:

T. Venkateswarlu, S/o. Munuswamy,
R/o. D.No. 16/626/A, B.P. Agraharam, Srikalahasthi, Chittoor District.

... PETITIONER

AND

1 The Government of Andhra Pradesh, Rep. by its Special Secretary, Revenue (Excise-II) Department, Secretariat, Hyderabad.
2 The Commissioner for Prohibition and Excise, Government of Andhra

Pradesh, Hyderabad.
3 The Prohibition and Excise Superintendent, Chittoor District at Chittoor.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particualrly one in the nature fo Writ of Mandamus declaring the impugned actionof the 1st respondent inissuing G.O.Ms.No.184 Revenue (Excise-II) Department, dated 7-2-2005 as highly illegal and arbitrary and consequently set aside the same and direct the respondents to consider the renewal of IL-24 licence of the petitioner and pass suchother order or orders in the itnerest of justice.

COUNSEL FOR THE PETITIONER: MR.G.V.SHIVAJI

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2503 of 2005

Between:

T.Mallikarjuna, s/o Munuswamy,
R/o D.No. 7-307, P.V. Road, Srikahalahasti, Chittoor District.

... PETITIONER

AND

1 The Government of Andhra Pradesh, rep. by its Special Secretary, Revenue (Excise-II), Department, Secretariat, Hyderabad.

2 The Commissioner for Prohibition and Excise, Government of Andhra

Pradesh, Hyderabad.
3 The Prohibition and Excise Superintendent, Chittoor District at Chittoor.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the impugned action of the 1st respondent in issuing G.O. Ms.No. 184 Revenue (Excise-II) Department, dated 7-2-2005 as highly illegal and arbitrary and consequently set aside the same and direct the respondents to consider the renewal of IL-24 Licence of the petitioner and pass such other order or orders in the interest of justice.

COUNSEL FOR THE PETITIONERS: MR.G.V.SHIVAJI

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2512 of 2005

Between:

1 Jannu Gopi S/o Ramulu(373/98-99)
M/s.Vinayaka Wines, Akuveedu Mandal, West Godavri District.
2 B.LakshmiPathi s/o Rama Krishna (27/2002-03)
M/s Sri Sai Krishna Wines, Yerragunta, Akuveedu Mandal,
West Godavari District.
3 Papaiah Naidu S/o Satyanarayana (571/98-99)
M/s Gopi Krishna Wines, Akuveedu Mandal,
West Godavari District.
4 M.Srinivasulu S/o Chinnaiah, (644/98-99)
M/s Gayatri Wines, Akuveedu Mandal,
West Godavari District.
5 Venkateswararo S/o Seshagirirao (26/2002-03)
M/s Venu Wines, Apparaopet, Akuveedu Mandal,
West Godavari District.
6 P.V.Subbaraju S/o Radhakrishna Raju(26/01-02)
M/s Shipa Wines, Dumpagadapa, Akuveedu Mandal,
West Godavari District.

7 M.Subbarao S/o Satyanarayana (137/98-99)
M/s Shipa Wines, Dumpagadapa, Akuveedu Mandal,
West Godavari District.
8 V.Sri Rangaraju S/o Subbaraju (38/98-99)
M/s Balaji Wines, I.Bheemavaram, Akuveedu Mandal,
West Godavari District.
9 K.Rama Apparao S/o Kolli Lakshmaiah (25/01-02)
Sudha Wines, Akuveedu Mandal,
West Godavari District.
10 Maheswararao S/o Anjaneyulu(570/98-99)
M/s Pallavi Wines, Undi, Undi Mandal,
West Godavari District.

11 Katta Padma W/o Rangararo(69/98-99)
M/s Vijaya Durga Wines, Undi, Undi Mandal,
West Godavari District.
12 M.Vimala S/o Appalaraju(37/98-99)
M/s Lakshmi Wines, Undi, Undi Mandal,
West Godavari District.
13 B.V.Ramaraju S/o Subbaraju (36/98-99)
M/s Rama Wines, Undi, Undi Mandal,
West Godavari District.
14 K.Rama Linga Raju S/o Rajan Raju(116/98-99)
M/s Venkata Rama Wines, Undi, Undi Mandal,
West Godavari District.

... PETITIONERS

AND

1 The Government of Andhra Pradesh Revenue(Excise.II) Department, Secretariat, Hyderabad, rep.by its Special Cheif Secretary to Government .
2 The Commissioner, Prohibiton and Excise, Hyderabad.
3 The Prohibition and Excise Superintendent, West Godavari District.
4 The District Collector, West Godavari District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ of Mandmaus or any other appropriate writ or direction declaring the G.O.Ms.No.184 dt. 07/02/2005 as illegal and arbitrary and set aside the consequential Notification No.13/2005 issued by the 3rd respondent dt. 11/02/2005 and pass such other or further orders as this Hon'ble court feels deem fit and proper in the circumstances of the case.

COUNSEL FOR THE PETITIONERS: MR.O.MANOHAR REDDY

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

-

-

-

-

-

-

WRIT PETITION NO : 2513 of 2005

Between:

1 Srinivasa Wines, Yerraguntla, rep. by Gajjela Shiva Reddy
S/o. Rami Reddy, 50 years, Nidujuvvi Village, Yerraguntla Mandal,

Kadapa District.
2 Srihari Wines, Chilamakuru, Rep. by Sampathi Nadipi Subbaiah,
S/o. Venkatapathi, aged 41 years, Chilamakuru, Yerraguntla Mandal,

Kadapa District.

... PETITIONERS

AND

1 The Special Chief Secretary, Revenue (Excise-II) Department,
Government of Andrha Pradesh, Secretariat Buildings, Hyderabad.
2 The Commissioner, Prohibition and Excise,
Government of Andhra Pradesh, Hyderabad.
3 The Deputy Commissioner, Prohibition and Excise, Kurnool.
4 The Excise Superintendent, Prohibition and Excise, Kadapa.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to pass an order or direction or writ under Article 226 of the Constitution of India, more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in issuing G.O.Ms. No.184, Revenue (Excise-II) Department, dt. 7-2-2005 as unconstitutional, illegal and arbitrary, consequently set aside the same directing the respondents to consider renewal of the existing licenses inaccordance with law and pass such other and further order or orders, as this Hon'ble Court may deem fit and proper in the circumstances of the case in the interest of justice.

COUNSEL FOR THE PETITIONERS: MRS.S.THAMASA RANI

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2516 of 2005

Between:

1 D.V.N. Raju, S/o. Krishna Murthy Raju,
Licencee of M/S. Venkateshwara Wines, Lakshmipatirajupeta

S. Rayavaram Mandal, Visakahapatnam District.
2 Appa Rao, S/o. Yerakaiah,
Licencee of M/s. Sri Vijaya Wines, Darlapudi S. Rayavarm Mandal,
Visakahapatnam District.
3 T.S. Prakasa Rao, S/o. Krishna,
Licencee of M/s. Naidu Wines, Kotharevupolavaram,

S. Rayavarm Mandal, Visakahapatnam District.
4 P.V. Ramarajan Rao, S/o. Biuchi Ramanchandra Raju,
Licencee of M/s. Satya Wines, Addaroddu Junction, Timmapuram,
S.Rayavaram Mandal, Visakahapatnam District.
5 Kum. P. Nagamani, D/o. Apanna,
Licencee of M/s. Kumari Wines, Addaroddu Junction, Timmapuram,
S.Rayavaram Mandal, Visakahapatnam District.
6 R. Srinivas, S/o. Dali Naidu (Licence No. 36/98-99),
Licencee of M/s. Sri Maridimamba Wines, Lankilipalem, Paravada Mandal,
Visakahapatnam District.
7 Dasari Nagamani, W/o. Tata Rao (Licence NO. 56/98-99),
Licencee of M/s. Sri Maridamma Wines, Lankilipalem, Paravada Mandal,
Visakahapatnam District.
8 P. Udaya Bhaskar Reddy, S/o. Venkata Reddy (388-98-99),
Licencee of M/s. Sri Nukambika Wines, Lankilipalem, Paravada Mandal,
Visakahapatnam District.
9 D. Ramu, S/o. Ramana (880/2001), Licencee of M/s. Sri Balaji Wines,

Harripalem, Achutapuram Mandal, Visakahapatnam District.
10 M. Venkataramanaiah, S/o. Satyanarayana (85-98-99)
Licencee of M/s. Sridevi Wines, Bazar Street, Narasannapet,
Srikakulam District.

... PETITIONERS

AND

1 The Government of Andhra Pradesh,

Revenue (Excise-II) Department, Secretariat, Hyderabad
Rep. by its Special chief Secretary to Government.
2 The Commissioner, Prohibition and Excise, Hyderabad.
3 The Prohibition and Excise Superintendent, Visakhapatnam district.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate Writ or direction declaring the G.O.Ms.No.184 dated 7-2-2005 as illegal and arbitrary and consequently direct the respondents not to issue licences infavour of third parties pursuant to the G.O.Ms.No.184 dated 7-2-2005 and pass suchother or further orders

COUNSEL FOR THE PETITIONERS: MRS.G.JHANSI

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2517 of 2005

Between:

1 Y.Srinivas S/o Radha Krishna Murthy(436/2000-01)
Krishna District.
2 V.V.D.V.N.Prasad S/o V.V.Chowdary(308/98-99)
Licensee of Krathi Wines, Kankipadu
3 A.Jagidsh Kumar S/o Subash Chandra Bose(578/98-99)
Licensee of Mithra Wines Kankipadu, Krishna District.
4 K.Sambasiva Rao S/o Pardhasarathi(257/98-99)
Licensee of surya Wines, Kankipadu
5 B.Koteswararo S/o Venkateswararo(263/98-99)
Licensee of Raja Wines Punadhipadu, Krishna District.

... PETITIONERS

AND

1 The Government of Andhra Pradesh Revenue(Excise.II) Department , Secretary, Hyderabad, Rep.by its Speical Chief Secretary to Government
2 The Commissioner , Prohibition and Excise, Hyderabad.
3 The Prohibition and Excise Superintendent Krishna District.
4 The District Collector, Krishna District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ of Mandamus or any other appropriate writ or direction declaring the G.O.Ms.No.184 dt. 07/02/2005 as illegal and arbitrary and set aside the consequential Notification No.13/2005 issued by the 3rd respondent dt. 11/02/2005 and pass such other or further orders as this Hon'ble Court feels deem fit and proper in the circumstances of the case.

COUNSEL FOR THE PETITIONERS: MR.A.JAGANNATHA RAO

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2518 of 2005

Between:

1 M.T.V.V. Prasad, S/o Sahadeva Rao (539/98-99),
M/s Chandralekha Wines, Bhimavaram, West Godavari District.
2 G. Satyanarayana Raju, S/o Suryanarayana Raju (10/2000-01),
M/s Sridevi Beer and wines, China Amiram Bhimavaram,

West Godavari District.
3 K.Nagaraju, S/o Satyanarayana Murthy (58/1998-99)
M/s Avinash Wines, Bhimavaram, West Godavari District.
4 B.V.V. V. Satish, S/o Manga Rao (461/1998-99),
M/s Sri Durga Wines, China Amiram, Bhimavaram, West Godavari District.
5 D.V. Satyanarayana Raju, s/o Suryanarayana Raju (2/2001-02),
M/s Purnima Wines, Bhimavaram, West Godavari District.
6 A. Maheswari, W/o Mohan Rao (120/98-99),
M/s Dwaraka Wines, Bhimavaram, West Godavari District.
7 A. Mohan Rao, S/o Venkatarao (121/98-99),
M/s Kanakadurga Wines, Bhimavaram, West Godavari District.
8 K. Ramaraju, S/o Subbaraju (377/98-99),
M/s Raj Wines, Bhimavaram, West Godavari District.
9 K. Kondala Rao, S/o Venkanna (566/98-99),
M/s Siva Wines, Bhimavaram, West Godavari District.
10 Venkayamma, s/o Subbarao (320/98-99),
M/s Varalakshmi Wines, Bhimavaram, West Godavari District.
11 K. Venkataswamy, S/o Ganganna (125/98-99),
M/s Kalyani Wines, Bhimavaram, West Godavari District.
12 M. Gopala Krishna, S/o Subbarao, (381/98-99),
Vijaya Wines, Bhimavaram, West Godavari District.
13 K.V.L.N. Raju, S/o Appalaraju, (495/98-99),
M/s G.K. Wines, Bhimavaram, West Godavari District.
14 S.B.S. Malleswararao, s/o Koti Basavalingam, (21/2000-01)
M/s Sri Sai Wines, Bhimavaram, West Godavari District.
15 K. Nageswararao, S/o Venkateswararao (28/2002-03),
M/s Suchitra Wines, Bhimavaram, West Godavari District.
16 T. Venkateswararao, S/o Venkata Krishna (582/98-99)
M/s Sai Sudha Wines, Bhimavaram, West Godavari District.
17 K.V.S. Srinivas, s/o Veerarao (63/2002-03),
M/s Surya Wines, Bhimavaram, West Godavari District.
18 M.S.S. Naidu, S/o Someswararao (572/98-99),
M/s Omsi Krishna Wines, Bhimavaram, West Godavari District.
19 Ch. Ramesh, S/o Venkataswamy (11/2001-02)
M/s Vijaya Durga Wines, Bhimavaram, West Godavari District.
20 K. Venkateswararao, S/o Venkataswamy (59/2002-03),
M/s Balalji Wines, Bhimavaram, West Godavari District.

... PETITIONERS

AND

1 The Government of Andhra Pradesh, Revenue (Exciose.II) Department,
Secretariat,Hyderabad, rep. by its Special Chief Secretary to Government.
2 The Commissioner, Prohibition and Excise, Hyderabad.
3 The Prohibition and Excise Superintendent, West Godavari District.

4 The District Collector, West Godavari District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of mandamus or any other appropriate writ or direction declaring the G.O.Ms.No. 184 dated 7-2-2005 as illegal and arbitrary and set aside the consequential notification No. 13/2005 issued by the 3rd respondent dated 11-2-2005 and pass such other or further orders as this Hon'ble Court feels deem fit and proper in the circumstances of the case.

COUNSEL FOR THE PETITIONERS: MR.O.MANOHER REDDY

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2519 of 2005

Between:

1 K.Srinivasaraju, S/o.Venkata Satya Rama Raju(63/1998-99)
M/s.Sridevi Wines, Kopalle, Kalla Mandal,
West Godavari District.
2 K.Srinivasarao, S/o.Suryanarayana (379/98-99)M/s.Sri Wines,
Bondada Village, Kalla Mandal, West Godavari District.
3 G.Chendrasekhar Rao, S/o.Malleswararao (375/98-99)
M/s.Chandrasekhara Wines, Kalla, Kalla Mandal, West Godavari District.
4 Thota Ramakrishna Rao, S/o.Rama Murthy (374/98-99)
M/s. Ramadevi Wines, Seesali, Kalla Mandal, West Godavari District.
5 K.Rajeswarao, S/o.Suryanarayana (735/98-99)
M/s.Vijaya Sri Wines, Bondada Village, Kalla Mandal,
West Godavari District.
6 P.Bujji Babu, S/o.Samba Murthy,(62/2002-03)
M/s.Gopal Wines, Bethapudi, Bheemavaram Mandal, West Godavari Disrict.
7 M.Bangaramma, W/o.Venkata Satyanaryana Raju,(59/98-99)
M/s. Kanaka Durga Wines, Pedamiram, Kalla Mandal,West Godavari Dist.
8 B.H.Ramakrishnamraju, S/o.Seetha Ramaraju (52/2002-03)
M/s.Vijaya Wines, Vendra, Palakoderu Mandal, West Godavari District.
9 B.S.Vara Prasad, S/o.Appala Swamy (80/98-99)
M/s.Superior Wines, Power Peta, Eluru, West Godavari District.
10 K.Raghavaraju, S/o.Anjeneya Subbaraju(687/98-99)
M/s.Excellent Wines, Gun Bazar, Eluru, West Godavari District.
11 P.Satyanarayana, S/o.Anajaiah (82/98-99)
M/s.Friendly Wines, Thangellamudi, Eluru, West Godavari District.
12 M.Somaraju, S/o.Mallapparaju, (83/98-99)
M/s.Jolly Wines, Denduluru, West Godavari District.
13 A.V.Ramanjaneyulu, S/o.Leela Arjuna Rao, (87/98-99)
M/s.Fine Wines, Kovvali, West Godavari District.
14 K.Venkataraju, S/o.Pitchi Raju @ Seshamraju (85/98-99)
M/s.Modern Wines, Pothunuru, West Godavari District.
15 P.Krishnarjuna Rao, S/o.Venkataramaiah (79/98-99)
M/s.Joyful Wines, Bheemadolu, West Godavari District.
16 B.Krishna Mohana Raju, S/o.B.V.S.Raju (10/02-03)
M/s. Raja Wines, Bheemadolu, West Godavari District.

17 R.Rajeswararao, S/o.Gopalarao (356/98-99)
M/s.Srinivasa Wines, Pulla, West Godavari District.

... PETITIONERS

AND

1 The Government of Andhra Pradesh, Revenue (Excise.II)Department, Secretarait, Hyderabad, rep.by its Special Chief Secretary to Government.
2 The Commissioner, Prohibition and Excise, Hyderabad.
3 The Prohibition and excise, Superintendent, West Godavari District.
4 The District Collector, West Godavari District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of Mandamus or any other appropriate writ or direction declaring the G.O.Ms.No.184 dated 7-2-3005 as illegal and arbitrary and set aside the consequential notification No.13/ 2005 issued by the 3rd respondent dated 11-2-2005 and pass such other or futther orders as this Hon'ble court feels deem fit and proper in the circumstances of the case.

COUNSEL FOR THE PETITIONERS: MR.O.MANOHER REDDY

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2520 of 2005

Between:

1 B. Srinivasa Babu, S/o. Adinarayana(174/98-99)
M/s. R.R. Liquors, Ramnagar, Anantapur.
2 V. Nagaraju, S/o. Hanumanthu (252/98-99),
M/s. Sri Harsha Wines, Kakkalapalli Colony, Gooty Road, Anantapur.
3 G. Narayanareddy, S/o. Tippareedy (98/98-99),
M/s. Bharati Wines, RTC Bus Stand, Anantapur.
4 S. Thippaiah, S/o. Bheemalingappa (91/98-99),
M/s. Power Wines, Navaratna Complex, Bypass Road, Anantapur.
5 S.V. Rami Reddy, S/o. Lakshmi Reddy (204/98-99),
M/s. Dinesh Wines, Vidyuthnagar, Anantapur.

6 S. Honnurappa, S/o. Yellappa, (217/98-99)
M/s. Dolphin Wines, Ballari Road, Anantapur.
7 Harinatha Reddy, S/o. Chalama Reddy (156/98-99)
M/s. Dwaraka Wines, Anantapur.
8 K. Chandra Mohan Reddy, S/o. K.V. Chalamareddy (177/98-99)
M/s. Sri Krishna Wines, Power Officer Area, Anantapur.
9 P. Ramalinga Reddy, S/o. Narayana Reddy (237/98-99)
M/s. Sri Sindhura Wines, Subash Road, Anantapur.
10 S. Thippaiah, S/o. S. Bheema Lingappa (236/98-99)
M/s. Power Wines, Sangamesh Area, Anantapur.
11 E. Anjaneyulu, S/o. Chinna Peddanna (67/98-99)
M/s. Sai Priya Wines, Srikantam Circle, Anantapur.
12 Venkataramireddy, S/o. V. Ramakrishnareddy,(17/98-99)
M/s. Srikanth Wines, Chinmaya Nagar, Anantapur.
13 K. Pullareddy, S/o. K. Lingareddy, (386/2002-03)
M/s. Sri Sai Wines, Anantapur.
14 B. Siva Kumar, S/o. B. Ramappa,(288/98-99)
M/s. Sobha Wines, Tadipatri Bus Stand, Anantapur.
15 S. Venkatappa, S/o. Durgappa, (271/98-99)
M/s. Sri Sai Wines, Raninagar, Anantapur.
16 V. Narasimhulu, S/o. V.N. Narsimhulu (108/2001-02)
M/s. Bharat Wines, Anantapur.
17 B. Siddappah, S/o. B. Basappa, (109/98-99)
M/s. Sapthagiri Wines, Canara Bank Area, Anantapur.
18 B. Durgesh, S/o. Narsimhulu, (111/03-04)
M/s. Maruthi Wines, Ramnagar, Anantapur.
19 Thimmaraju (135/98-99)
M/s. Balaji Wines, Neelam Talkies Road, Anantapur.
20 Yerri Swamy, S/o. Ramappa (91/98-99)
M/s. Power Wines, Power House Area, Anantapur.
21 Krishna Murthy, S/o. Moulappa (136/98-991)
M/s. Sri Sai Wines, SRMT, Anantapur.
22 Sri Surya Narayana, S/o. Narayanappa (66/98-99)
M/s. Sri Sai Wines, College Road, Anantapur.
23 E. Rama Seshu, S/o. Peda Narayan (9/98-99)
M/s. Sri Kumar Wines, 1st Road, Anantapur.
24 Venkataramana, S/o. Subbaiah (89/98-99)
M/s. Sri Venkateswara Wines, Maruthi Nagar, Anantapur.
25 Krupakar Reddy, S/o. Rama Krishna Reddy (139/98-99)
M/s. Srinivasa Wines, Railway Station Road, Anantapur.
26 K. Ramana, S/o. Sri Ramulu (4/98-99)
M/s. Victory Wines, Kamalanagar, Anantapur.
27 Balaji Naidu, S/o. China Ramappa (233/1999-2000)
M/s. Vinayaka Wines, Ramchander Nagar, Anantapur.
28 Janardhan (94/98-99) M/s. Kamala Wines, Kamalanagar,
Anantapur.
29 Kondaiah, S/o. Kondanna, M/s. Ganga Wines, Ramnagar, Anantapur.
30 Tirupathi Naidu, S/o. Veeranarappa,
M/s. Subash Wines, Near Anantapur Club, Anantapur.
31 Gopala Krishna,
M/s. Haripriya Wines, Clock Tower Centre, Anantapur.
32 Nagendra (145/02-03) M/s. Madhu Wines, Anantapur.
33 C. Venkatesulu, S/o. Rangappa, M/s. Amaravathi Wines,

Kamalanagar, Anantapur.

... PETITIONERS

AND

1 The Government of Andhra Pradesh, Revenue (Excise.II) Department, Secretariat, Hyderabad, Rep. by its Special Chief Secretary to Government.
2 The Commissioner, Prohibition and Excise, Hyderabad.
3 The Prohibition and Excise Superintendent, Anantapur District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a writ of mandamus or any other appropriate writ or direction declaring the G.O.M.s.Nio. 184 dated 7.2.2005 as illegal and arbitrary and consequently direct the respondents not to issue licences infavour of third parties pursuant to the GO.Ms.No. 184 dated 7.2.2005 and pass such other or further orders as this Hon'ble Court feels deem fit.

COUNSEL FOR THE PETITIONERS: MR.O.MANOHER REDDY

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

-

WRIT PETITION NO : 2524 of 2005

Between:

1 B.Narasimha Goud S/o.Sattaiah Goud (655/2001) Hayatnagar Mandal Ranga Reddy District.
2 Ravi anjaneya Prasad S/o.Nayudamma 57/98-99) Kunkalamarru, Karamchedu Mandal, Prakasam District.
3 M.Narayanamma W/o. Subba Rao (22/98-99) Haripragada Nagar, Chirala Prakasam District.
4 Undrakonda Rama Rao S/o.Subba Rao (380/98-99) Vadarevu, Prakasam District.
5 D.Ramaiah S/o.Venkateswarlu (534/2001-02)

Chirala, Prakasam District.

6 Y.Yandi Rao S/o.Kotaiah (215/1998-99)
Chirala, Prakasam District.

7 A.Nagendrudu S/o.Pullaiah (359/1998-99)
Epurupalem, Prakasam District.

8 M.V.subba Rao S/o.Venkateswarlu (47/1998-99)
Gavinivaripalem Prakasam District.

9 M.Subba Reddy S/o.Kondandaramudu (388/1998-99)
Chinaganjam, Prakasam District.

10 R.Sambasiva Prasad S/o.Sitaramaiah (358/98-99)
Karamchedu, Prakasam District.

11 D.Raghava Reddy S/o.Rami Reddy (61/1998-99)
Prakasam District.

12 T.Subdhakara Rao S/o.Prasada Rao (363/1998-99)
Prakasam District.

13 Ch.Sarat Babu S/o.Prasada Rao (51/1998-99)
Prakasam District.

14 K.Anji Reddy S/o.Venkateswara Reddy (41/1998-99)
Vatapalem, Prakasam District.

15 B.Venkateswarlu S/o.Subbaiah (382/1998--99)
Chirala, Prakasam District.

16 D.Subba Rao S/o.Satyanarayana (154/1998-99)
Podili, Prakasam District.

17 B.Venkata Ramesh Babu S/o.Venkateswarlu (153/1998-99)
Podili, Prakasam District.

18 Ch.Narasimha Reddy S/o.Rosaiah (298/1998-99)
M/s Sri Saikrishna Wines Podili, Prakasam District.

19 A.Sanjeeva Reddy S/o.Venkata Subba Reddy (548/2002-03)
Prakasam District.

20 K.Ramakrishna Reddy S/o.Venkata reddy (185/1998-99)
Medapi, Prakasam District.

21 G.Lingeswara Rao S/o.Chenchaiah (336/1998-99)
Medapi, Prakasam District.

22 Peraiah S/o.Basavaiah (264/1998-99)
Tripurantakam, Prakasam District.

23 J.Narayana S/o.Chinna Krishnaiah (470/1998-99)
Tripurantakam, Prakasam District.

24 S.Ramasubba Reddy S/o.Kasi Reddy (308/1998-99)
Tharlupadu, Prakasam District.

25 D.Nagarjuna Reddy S/o.D.V.Krishna Reddy (184/98-99)
Rayavaram, Prakasam District.

26 G.Nageswara Reddy S/o.koti Reddy (216/98-99)
P.Dornala, Prakasam Ditrict.

27 G.Kasi Eswara Rao S/o.Pitchaiah (585/2002-03)
Thippaiahpalem, Prakasam District.

28 P.Galayya S/o.Guravaiah (543/2001-02)
Tarlupadu, Prakasam District.

29 D.Rajasekhar Reddy S/o.D.V.Krishna Reddy (527/2000-01)
Kalujuvvalapadu, Prakasam District.

30 K.Channa Krishna S/o.Kesaiah (584/2002-03
Kalujuvvalapadu, Prakasam District.

31 G.Subba Reddy S/o.Atchi Reddy (583/2002-03)
P.Dornala, Prakasam District.

32 T.Chennappa Reddy S/o.Venkatareddy (560/2002-03)

Tripurantakam, Prakasam District.

33 D.Nagarjuna Reddy S/o.D.V.Krishna Reddy (184/98-99)
Rayavaram, Prakasam District.

34 N.Surya Chandra Sekhar S/o.N.Srinivasa Rao (1102/2003-04)
Indrapalem Village, Kakinda Rural Mandal East Godavari District.

35 D.v.v.M. Prasad S/o.Ganga Raju (883/202-03)
Kothuru Village, Kakinda Rural Mandal East Godavari District.

36 T.S.Prasad S/o.Subba Rao (994/2002-03)
Kakinda, East Godavari District.

37 Ch.Satyanarayana S/o.Tata Rao (993/2002-2003)
Ramanaiahpet Village, Kakinada Rural Mandal East Godavari District.

38 Smt.Ch.Bapi Raju W/o.Surya Chakra Tataji (1081/2003-04)
Kakinda, East Godavari District.

39 Ch.Krishna Murthy s/o.Ramanna (1094/2003-040
Chendurthi Village, Gollaprolu Mandal East Godavari District.

40 Ch.V.Gopala Krishna S/o.Kondal Rao (1/98-99)
Bobbili, Vizianagaram District.

41 Kola Kesavarao S/o.Apprao (86/98-99)
Bobbili, Vizianagaram District.

42 D.V.B.Prasad S/o.Suiryaprasadrao (5/02-03)
Bobbili, Vizianagaram District.

43 B.ranjith Kumar S/o.Srinivasrao (225/98-99)
Bobbili, Vizianagaram District.

44 G.Satyanarayana S/o.Suryanarayana (127/98-99)
Bobbili, Vizanagaram District.

45 M.Ramana Murthy S/o.Narayana Murthy (63/98-99)
Bobbili Vizianagaram District.

46 R.Raja Rao S/o.Eswararao (11/98-99)
Bobbili, Vizianagaram District

47 V.Trinadhanaidu S/o.Raminaiu (220/98-99)
M/s Pydimamba Wines Piridi, Vizianagaram District.

48 Reddy Venu S/o.Polinaidu (12/98-99)
Chintada, Vizianagarm District.

49 D.Mohan Rao S/o.Appalaswamy Naidu (247/98-99)
Alajangi, Vizianagaram District

50 Vakada Srinivasarao S/o.Rami Naidu (226/01-02)
Mettavalasa, Vizianagaram District.

51 A.Gopala rao S/o.Venkataranga Rao (124/98-99)
Balijipeta, Vizianagaram District.

52 M.Surya Prakash Rao S/o.Sri Ramamurthy (6/01-02)
Narayanapuram, Vizianagaram District.

53 M.Surya Prakash Rao S/o.Sri Ramamurthy (6/01-02)
Narayanapuram, Vizianagaram District.

54 T.Appalanaidu S/o.Appalaswamy (76/98-99)
M/s Manikanta Wines
Pedapenki, Vizianagaram.

55 P.Laxmunaidu S/o.Raminaidu (23/00-01)
Arasada Balijipeta Mandal, Vizianagaram District.

56 B.Satya Lakshmi W/o.Ramana Murthy (10/1/20)
Antipeta, Seethanagaram Mandal Vizianagaram District.

57 K.Harichandra Prasad S/o.Late Surya Rao (29/00-01)
China Bogili, Seethanagaram Mandal, Vizianagaram District.

58 M.V.Ramana S/o.Apparao (56/98-99)
Seetthanagaram, Seethanagaram Mandal Vizianagaram District.

59 K.Krishna Kumar S/o.Krishna Rao (2/98-99)
Seethangaram, Vizianagaram Dist.
60 R.Y.Chowdari S/o.Narasingarao (39/2002-03)
Seethanagaram, Vizianagaram Dist.
61 Sankar Kamal Varma S/o.Sankarrao (18/00-01)
Seethanagaram, Vizianagaram Dist.
62 B.Srinivasa Chakravarthy S/o.Chandrasekharrao (33/98-99)
Makkuva, Vizianagaram District.
63 M.Prakash S/o.Satyanarayana (4/00-01)
Venkatabiri Puram, Vizianagaram District.
64 J.Prasad S/o.Haranadh Kumar (12/02-03)
Sambara, Vizianagaram District.

... PETITIONERS

AND

1 The Government of Andhra Pradesh Revenue (Excise.II) Department, Secretariat, Hyderabad rep. by its Special Chief Secretary to Govt.
2 The Commissioner, Prohibitionand Excise, Hyderabad.
3 The Prohibition and Excise Superintendent Vizianagaram District.
4 The Prohibition and Excise Superintendent Ranga Reddy District.
5 The Prohibition and Excise Superintendent East Godavari District, Kakinada.
6 The Prohibition and Excise Superintendent Prakasam District, Ongole.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of mandamus or any other appropriate writ or direction declaring the G.O.Ms.No.184 dt.7.2.2005 as illegal and arbitrary and consequently direct the respondents not to grant the licences infavour of third parties purusant to the G.O.184 dt.7.2.2005.

COUNSEL FOR THE PETITIONERS: MR.O.MANOHER REDDY

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2534 of 2005

Between:

Sri B. Srinivasulu, Proprietor of Sri Manjira Wines,
S/o Bala Yellaiah, aged 32 years, Occ: Business, R/o Badepally, Jadcherla Mandal, Jadcherla,Mahaboobnagar District.

... PETITIONER

AND

1 The Superintendent, Prohibition and Excise, Mahaboobnagar District.
2 The Commissioner, Prohibition and Excise, Hyderabad.
3 The Special Chief Secretary, Revenue (Excise-II) Department,
Government of Andhra Pradesh, Secretariat Buildings, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or Direction, more particularly one in the nature of Writ of mandamus (a) Declare that portion of impugned G.O.No. 206 dt. 10-2-2005 amending Rule 3 (h) of the A.P.Indian Liquor & Foreign Liquor Rules 1970 and consequently to declare the procedure adopted for grant of Il-24 B Licence ie., permit rooms to those licensee holders who have IL-24 Licence in a town which has more than 5000 to 25,000 population, as bad and illegal (b) to delcare the impugned G.O.No. 184 dt. 7-2-2005 as invalid, discriminatory and ultravires the operation of the Indian Liquor and foreign Liquor Rules, 1970,and to pass necessary orders.

COUNSEL FOR THE PETITIONER: MR.ERANKI PHANIKUMAR

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2541 of 2005

Between:

Gujjula Shankar Reddy S/o Ganga Reddy, Licensee and owner of

Pavan Wines,
Phulong Cross Roads, Nizamabad Town,
Nizamabad District.

... PETITIONER

AND

1 The Special chief Secretary to Government Revenue Department
Government of Andhra Pradesh, Secretariat, Hyderabad.
2 The Commissioner of Prohibition and Excise, Andhra Pradesh , Hyderabad.
3 The Superintendent of Prohibition and Excise Department,

Nizamabad District , Nizamabad.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ, order or direction more particularly one in the nature of Writ of Mandamus directing the Respondents to renew the petitioner's IL 24-Retail Lisense for the year 2005-2006 and onwards by holding that the impungned orders issued in G.O.Ms.No.184-Revenue (Excise-II) Department, dt. 7-2-2005 as arbitrary, illegal, unjustified, discriminatory and violative of the provisions, of AP., Excise Act and the

Rules made thereunder and quash the same in so far as the petitioner is concerned and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

COUNSEL FOR THE PETITIONERS: MR.GOPALA RAO GANDRAKOTA

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2543 of 2005

Between:

1 M/s. Paradise Wines, Munsif Junction, Kakinada,
rep by its Proprietor, Nagireddy Krishna Murthy, S/o. Manikyam,

aged 74 years, R/o. Kakinada, East Godavari District.
2 M/s. Paradise Wines, Kakinada, rep by its Proprietor, K. Srinivasa Rao,
S/o. Subba Rao, R/o. Kakinada, East Godavari District.
3 M/s. Paradise Wines, Ramachandrapuram,
rep by its Proprietor, N. Srinivasa Prasada Rao, S/o. Krishna Murthy,
aged about 40 years, R/o. Ramachandrapuram, East Godavari District.
4 M/s. Paradise Wines, Velangi,
rep by its Proprietor, K.V.R. Murthy, S/o. Gangadhara Rao, aged about 40

years, R/o. Velangi, East Godavari District.
5 M/s. Sri Kanya Wines, Amujuru, rep by its Proprietor, K. Radha Krishna,
S/o. V. Rama Rao, aged 51 years,
R/o. Amujuru, East Godavari District.
6 M/s. Paradise Wines, Dangeru,
rep by its Proprietor, Anasuri Suryanarayama, aged 46 years,
R/o. Mandapeta, East Godavari District.
7 M/s. Surya Chandra Wines, Mandapeta,
rep by its Proprietor, M. Babu Rao, S/o. Tatabbai, aged 50 years,
R/o. Mandapeta, East Godavari District.
8 M/s. Brandy Shop, Mandapeta, Alamuru,
rep by its Proprietor, R. Rambabu S/o. Chandra Rao, aged about 48 years,
R/o. Mandapeta, East Godavari District.
9 M/s. Siva Kalyani Wines, Mandapeta,
Rep. by its Proprietor, V. Rama Rao S/o. Surayya, aged 39 yrs,
R/o. Mandapeta, East Godavari District.
10 M/s. Maduri Wines, Z. Medapdu,
Rep. by its Proprietor, O. Lakshman Kumar S/o. O. Surya Bhaskar Rao,

age 42yrs. R/o. Z. Medapadu, Mandapeta, East Godavari District.
11 M/s. Brandy shop, Modukuru, Alamuru Mandal,

Rep. by its Proprietor, G. Subba Rao, S/o. Subba Rao, aged 33 yrs,
R/o.Modukuru, Alamuru Mandal, East Godavari District.

12 M/s. Brandy shop,Narsipudi, , Alamuru Mandal,
Rep. by its Proprietor, Smt. Kalla Mangadevi, aged 49 yrs W/o. Late Govindu
R/o.Narsipudi, Alamuru Mandal, East Godavari District.

13 M/s. Siva Kalyani Wines, Chinthaluru
Rep. by its Proprietor, S. Ankala Raju S/o. Satyanarayana,aged 40 yrs,
R/o. D.No. 1-43, Chinthaluru, Alamuru Mandal, East Godavari District.

14 M/s. Brandy Shop, Chinthalauru, Alamuru Mandal,
Rep. by its Proprietor, D.S. Chowdary, S/o. Veeraju, aged 35 yrs,

R/o. D.No. 3-224, Chinthaluru, Alamuru Mandal, East Godavari District.

15 M/s. Siva Kalyani Wines, Alamuru,
rep. by its Propietor, N. Krishna Rao S/o. Seethaiah, aged 38 yrs,
R/o. D.No. 3-78, Alamauru, Alamuru Mandal, East Godavari District.

16 M/s. Brandy Shop, Alamuru
Rep. by its Proprietor,, K.S.V. Prasad, S/o. Ranga Rao, aged 51 yrs,

R/o. D.No. 5-90, Alamuru, Alamuru Mandal, East Godavari District.

17 M/s. Brandy Shop, Jonnada,
Rep. by its Proprietor, V. Ramana, S/o. Simhachalama, aged 48 yrs,

R/o. D.No. 5-16, Jonnada, Alamuru Mandal, East Godavari District.

18 M/s. Siva Kalyani Wines, CHemudulanka,
Rep. by its Proprietor, Y. Janikayya, S/o. Veerraju, aged 44 yrs,

R/o. D.No. 2-94, Chemudulanka, Alamuru Mandal, East Godavari District.

19 M/s. A.B.C. Wines, Madiki,
Rep. by its Proprietor, K.V. Subba Rao S/o. Subba Rao, aged 44 yrs,

R/o. D.No. 2-72, Madiki, Alamuru Mandal, East Godavari District.

20 M/s. Sridevi Wines, Tadepalligudem,
Rep. by its Proprietor, Maddukuri Pardha Saradhi S/o. Dhana Raju,

aged about 42 yrs, R/o. C/o. B.V.R. Complex, Mahalakshmi Nagar,

Tadepalligudem, West Godavari District.

21 Sri Sai Wines, Madhavaram
Rep. by its Proprietor, Y. Tilak Kumar S/o. Satyanarayana,

aged about 25 years, R/o. B.V.R. Complex, Mahalakshmi Nagar,

Tadepalligudem, West Godavari District.

22 M/s.Vasudeva Wines, Tadepalligudem,
Rep. by its Propritor, P.V. Satyanarayana S/o. Subba rao, aged about

38 yrs, R/o. C/o. Vasudeva Wines, Main Road, Tadepalligudem,

West Godavari District.

23 M/s. Bhavani Wines, Tadepalligudem,
Rep. by its Propritor, G.P. Agarwal S/o. Byadayanad, aged about 44 yrs,

R/o. C/o. Bhavani Wines,K.N. Road, Tadepalligudem,

West Godavari District.

24 M/s. Tirumala Wines, Penumantra,
Rep. by its Proprietor, P. Venkateswara Rao S/o. Krishna Rao, aged about

45 yearS R/o. B.V.R. Complex, Mahalakshmi Nagar, Tadepalligudem,

West Godavari District.
25 M/s. Sai Wines, Prathipadu,
Rep. by its proprietor, M. Venkata Narayana S/o. Tirumala Raidu, aged about 44 years, R/o. Main Road, Navabpalem, West Godavari District.
26 M/s. Balaji Wines, Tadepalligudem,
Rep. by its Proprietor, Yasa Naga Venkata Ramesh, S/o. Venkat Ratnam, aged 40 years,R/o. C/o. Balaji Wines, K.N. Road, Tadepalligudem, West Godavari District.
27 M/s. Raja Wines, Ravipadu,
Rep. by its Proprietor, T. Raja Babu S/o. Surya Rao, aged about 50 years,
R/o. Near O.S. Lake, Tadepalligudem, West Godavari District.
28 M/s. Sri Ganesh Wines, Fish Market Centre,
Rep. by its Proprietor, Lankalapalli Venkata Ganesh, S/o. Hanumanthar,

aged about 44 years, R/o. D.No. 20D07044, Fish Market Centre, Kothapet,

Eluru, West Godavari District.
29 M/s. Sri Rama Wlnes, Eluru,
Rep. by its Proprietor, Mandhyanapu Dhanamjayarao, S/o. Ramakrishnadass,
aged 36 years, R/o. D.No. 22V-1-41, Near Vasanthamahal, Eluru,

West Godavari District.
30 M/s. R.K. Wines, Eluru, Rep. by its Proprietor, Kotipalli Venkata Krishna

Rao, S/o. Adinarayana, aged 40 years, R/o. D.No. 8-2-134/42, Fish Market

Area, Eluru, West Godavari District.
31 M/s. Pavani Wines, Tangellamudi,
Rep. by its Proprietor, K.N.V. Ramesh, S/o. Surya Prakasha Rao,
aged 39 years, R/o. D.No. 15-17-3, Tangellamudi, Eluru,

West Godavari District.

32 M/s. Rajesh Wines, Pedapadu,
Rep. by its Proprietor, Talluri Rama Krishna S/o. Rama Rao, aged

about 45 years, R/o. D.No. 6-2B/C-746, Pedapadu Mandal,

West Godavari District.
33 M/s. Anusha Wines, Chataparru,
Rep. by its Proprietor, Tuta Srinivasa Rao S/o. Nageswara Rao, aged about 34 years, R/o. D.No. C6-58, Chataparru, Eluru, West Godavari District.
34 M/s. Sai Wines, Eluru, Rep. by its Proprietor, Lankalapalli Naga Venkata

Durga Prasad, S/o. Rama Rao, aged about 36 years, R/o. Nowduru (V),

Veeravasaram Mandal, West Godavari District.
35 M/s. Siva Wines, Eluru,
Rep. by its Proprietor, Musunuru Rama Mohana Rao, S/o. Sambasiva Rao,

aged about 40 years, R/o. D.No.22c-10-2, Near Old Bus stand, Eluru-I,

West Godavari District.
36 M/s. Chakri Liquors, N.R. Pet,
Rep. by its Proprietor, M. Venkata Rama Mohan Rao, S/o. Anga Rao,

aged about 31 years, R/o. D.No.25-15-22,

N.R. Pet, Eluru, West Godavari District.

37 M/s. Jyothi Wines, Eluru,
Rep. by its Proprietor, B.Ch, Venkateswara Rao, S/o. Lakshmaiah, aged about 55 years, R/o. Bhavisettyvaripet, Eluru, West Godavari District.

38 M/s. K.K. Wines, Chapalachettu Centre,
Rep. by its Proprietor, K. Krishna, S/o. Manikyala rao, aged 51 years,

R/o. Kammulavari Street,. Eluru-I, West Godavari District.

39 M/s. Dhanesh Wines, Tadepalligudem,
Rep. by its Proprietor, Samarla Rama Kumar, S/o. Nagaraju,

aged about 42 years, R/o. Pallapu Street,
Tadepalligudem, West Godavari District.

40 M/s. Hanuman Wines, Kaikaram, Rep. by its Proprietor, Bubathula

Anjaneyulu, S/o. Pullaiah, aged about 56 years, R/o. D.No. 2/142, N.H. Road,

Kaikaram, Chintalapudi, West Godavari District.

41 M/s. Devi Wines, Chintalapudi,
Rep. by its Proprietor, Kondety Manikyala Rao S/o. Nancharaiah, aged 48 yrs, R/o. Western Street, Eluru-I, West Godavari District.

42 M/s. Siva Jyothi Wines, Raghavapuram,
Rep. by its Proprietor, Olety Vebnkateswara Rao S/o. Rattaiah,

aged about 64 years, R/o. Ratnalagunt, West Godavari District.

43 M/s. Siva Jyothi Wines, Rangapuram,
Rep. by its Proprietor, Musunuru Sambasiva Rao S/o. Rattaiah, aged about 65 years,R/o. D.No. 4-12/A, Rangapuram, West Godavari District.

44 M/s. Siva Jyothi Wines, Lingapalem,
Rep. by its Proprietor, R. Krishna Kumar,S/o. Satyanarayana, aged about 42 years, R/o. Vijayarai, Lingapalem, West Godavari District.

45 M/s. Siva Jyothi Wines, Vijayarai,
Rep. by its Proprietor, Bollina Rambau S/o. Prakasa Rao, aged about 55 years, R/o. D.No. 2-304/A, Vijayarai, Siggagudem, West Godavari District.

46 M/s. Siva Jyothi Wines, Dharmajigudem,
Rep. by its Proprietor, Mokkapaty Venkateswara Rao, S/o. Satyanarayana, aged 52 years, R/o. Kakinada, East Godavari District.

47 M/s. Jyothi Wines, Chinthalapudi,
Rep. by its Proprietor, Olety Pitchaiah S/o. Rattaiah, aged about 70 years, R/o. Ratnalagunta, Chintalapudi, West Godavari District.

48 M/s. Sri Ganesh Wines, T. Narasapuram,
Rep. by its Proprietor, Kondety Harichandra Rao, S/o. Venkataramaiah, aged about 56 years, R/o. T. Narasapuram, Eluru-2, West Godavari District.

49 M/s. Sri Gopal Wines, Gundugolanu, Rep. by its Proprietor, Lankalapalli

Venkateswara Rao, S/o. Hanumantha Rao, aged about 34 years,
R/o. Eastern Street, Gundugolanu, Eluru, West Godavari District.

50 M/s. Paradise Wines, Teki,
Rep. by its Proprietor, I. Muneswara Rao S/o. Satiyya, aged about 47 years, R/o. Taki, Kapileswarapuram Mandal, East Godavari District.

51 M/s. Paradise Wines, Pamarru,
Rep. by its Proprietor, K.V.V.R.K.Prasad S/o.Gangadharam, aged about 36 years, R/o. Pamarru, Pamarru Mandal, East Godavari District.

52 M/s. Sridevi Wines, Venturu,
Rep. by its Proprietor, R. Venkata Rao S/o. Bhaskara Rao, aged about 45 years, R/o. D.No. 5-76/A, Venturu, Rayavaram Mandal, East Godavari District.
53 M/s. Sagar Wines, Gollapalem, Rep. by its Proprietor, D. Krishna Reddy

S/o. Satyanarayana Reddy, aged about 35 years, R/o. D.No. 4-212/1,

Gollapalem, Kajuluru Mandal, East Godavari District.
54 M/s. Paradise Wines, Gollapalem,
Rep. by its proprietor, Gubbala Yesuraju S/o. Veeranna, aged about 40 years,
R/o. D.No. 28-9-89, Gollapalem, Kajuluru Mandal, East Godavari District.
55 M/s. Paradise Wines, Aryavatam, Rep. by its Proprietor, K. Satyanarayana

S/o. Subba Raju, aged about 53 years, R/o. Aryavatam, Kajuluru Mandal,

East Godavari District.

... PETITIONERS

AND

1 Government of Andhra Pradesh, Rep. by Special Chief Secretary,
Revenue(Excise-II) Department, Secretariat, Hyderabad.
2 Commissioner of Prohibition and Excise, Government of Andhra Pradesh, Hyderabad.
3 Deputy Commissioner of Prohibition and Excise, Kakinada Division at Kakinada, East Godavari District.
4 Superintendent of Prohibition and Excise, East Godavari District at Kakinada.
5 Superintendent of Prohibition and Excise, West Godavari District at Eluru.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of Mandamus of any other appropriate writ declaring that the action of the 1st respondent contained in G.O.Ms. No. 184, Revenue (Excise-II) Department dt. 07-2-2005 purporting to avoid renewal of the existing IL-24 Licenses and proceeding to issue fresh licenses for all the 7500 IL-24 shops in the State, is arbitrary, discriminatory and illegal and consequently direct the respondents to continue to renew the IL-24 licenses of the petitioners for the Excise Year 2005-2006 onwards and grant such other relief as it deems fit in the circumstances of the case.

COUNSEL FOR THE PETITIONERS: MR.V.VENKATARAMANA

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2544 of 2005

Between:

Gujjula Rajasekhar Reddy S/o. G. Shankar Reddy,
Licensee and owner of Pavan Wines, Pottangal (Vill.), Kotgir (Mandal),
Nizamabad District.

... PETITIONER

AND

1 The Special Chief Secretary to Government, Revenue Department, Government of Andhra Pradesh, Secretariat, Hyderabad.
2 The Commissioner of Prohibition and Excise, Andhra Pradesh, Hyderabad.
3 The Superintendent of Prohibition and Excise Department, Nizamabad District, Nizamabad.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction or an appropriate writ more particularly in the nature of writ of Mandamus directing the Respondents to renew the petitioner's IL 24-Retail Lisense for the year 2005-2006 and ownwrds by holding that the impugned orders issued in G.O.Ms.No.184-Revenue (Excise-II) Department, dt. 7-2-2005 as arbitrary, illegal, unjustified, discriminatory and violative of the provisions of A.P. Excise Act and the Rules made thereunder and quash the same inso far as the petitioner is concerned and pass such other and further orders as this Hon'ble Court deem fit and proper in the circumstances of the case.

COUNSEL FOR THE PETITIONERS: MR.GOPALA RAOGANDRAKOTA

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2633 of 2005

Between:

1 M/s.Polamamba Wines, Thagarapuvalasa S.V.S.S.Raju, S/o.Venkata Krishnam Raju R/o.Visakhapatnam.
2 M/s.Babu Wines, Main Road, Thagarapuvalasa Sri Kopalla Venkata Rao, S/o.Appala Narsaiah, R/o.Thagarapuvalasa Visakhapatnam Dist.
3 M/s.Raju Wines, Thagarapuvalasa, Sr.Nandika Srinivasu, S/o.Chinnayellayya, R/o.Thagarapuvalasa, Visakhapatnam District.
4 M/s.Sri Sai Ram Wines, Thagarapuvalasa Sri K.Krishna Murthy, S/o.Lingaiah, R/o.Thagarapuvalasa, Visakhapatnam District.
5 M/s.Janaki Rama Liquors Tagarapuvalasa, N.V.Raju, S/o.Bhupala Raju, R/o.Bheemunipatnam, Visakhapatnam District.
6 M/s.Reddy Wines, Peddabazar, Bheemili Sri S.Sugunakar Reddy, S/o.Kadganarayana Reddy, R/o.Bheemunipatnam, Visakhapatnam District.
7 M/s.Sri Durga Wine, Bheemunipatnam, Sri C.Yellayya Reddy, S/o.Venkappa, R/o.Thagarapuvalasa, Visakhapatnam District.
8 M/s.Venkateswara Wines, Bheemunipatnam Sri Kesuru Venkata Rao, S/o.Appa Rao, R/o.Thagarapuvalasa, Visakhapatnam District.
9 M/s. Sravani Wines,Devarapalli, Gullipalli Sreenu, S/o.Musili Naidu, R/o.Devarapalli, Visakhapatnam District.
10 M/s.Devarapalli Wines, D.No.1-183/8, Raiwada Road, Devarapalli Sri Challa Yerupu Naidu, S/o.Gangu Naidu, R/o.Raivada,

Visakhapatnam District.
11 M/s.Naide Wines, M.Alamanda Sri Gunuru Errunaidu, S/o.Appalanaidu, R/o.Chodavaram, Visakhapatnam District.

12 M/s. Raja Rajeswari Wines, D.No.10-176, Main Road, Devarapalli Sr Earni Narasimha Murthy S/o.Satyanarayana, R/o.Devarapalli, Visakhapatnam District.
13 M/s.Mallaikarjuna Wines, Cheedikada M.Prasad,S/o.Appa Rao. R/o.K.Kotapadu, Visakhapatnam District.
14 M/s.Sai Wines, Cheedikada Bandaru Demudu Naidu, S/o.Raju Naidu, R/o.Cheedikada, Visakhapatnam District.

... PETITIONERS

AND

1 The Special Chief Secretary Revenue (Excise-II) Department Government of Andhra pradesh, Secretariat Buildings, Hyderabad.
2 The Commissioner, Proh.& Excise Govt.of A.P., Hyderabad.
3 Deputy Commissioner, Prohibition and Excise, Visakhapatnam.
4 The Excise Superintendent Prohibition & Excise, Visakhapatnam.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring G.O.Ms.No.184 dt.7-2-2005 issued by the Government of Andhra Pradesh, Revenue (Excise-II) Department as unconstitutional illegal and arbitrary and consequently set aside the same and direct the respondents to consider renewal of the existing licencess in accordance with law, and pass such other order or orders as are deemed fit and proper in the circumstances of the case.

COUNSEL FOR THE PETITIONERS: MR.P.SRI RAGHU RAM

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2654 of 2005

Between:

1 M/s. Sri Balaji Wines, rep.by its prop.K.Venkatesh, S/o.Chenchaiah,

R/o.Military Colony, Nellore, Nellore Dist.
(IL-24 Licence No.172).
2 M/s.Om Shakthi Wines, rep.by its prop. S.Vijay Kumar, S/o.Prasad Rao, R/o.Podalakur Road, Nellore, Nellore District.(IL-24 Licence No.).

... PETITIONERS

AND

1 The Special Chief Secretary, Revenue (Excise-II)Department, Government of Andhra Pradesh, Secretariat Buildings, Hyderabad.
2 The Commissioner, Prohibition & Excise, Government of Andhra Pradesh,

Hyderabad.
3 Deputy Commissioner, Prohibition & Excise, Guntur, Guntur District.
4 Deputy Commissioner, Prohibition & Excise, Guntur, Guntur District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of Mandamus or any other appropriate writ, order or direction declaring G.O.Ms.no.184, dated 7-2-2005 issued by the Government of Andhra pradesh, Revenue (Excise-II) Department as arbitrary, illegal and unconstitutional and consequently set aside the same and direct the respondents to consider renewal of the existing licensees in accordance with law, and pass such other order or orders as this Hon'ble court may deem fit and proper in the circumstances of the case.

COUNSEL FOR THE PETITIONERS: MR.T.NAGARJUNA REDDY

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2658 of 2005

Between:

1 G. Atcham Naidu, S/o. Appala Naidu,
Licensee of Durga Devi Wines, Sabbavaram, Visakhapatnam District Bearing Licence No. 19/98-99.
2 Salapur Venkateswar Rao, S/o. Chinna Appala naidu,
Licensee of Durga Wines, Sabbavaram, Visakhapatnam District Bearing Licence No. 18/98-99.
3 G. Ammaji, W/o. Atcham Naidu,
Licensee of vinayaka Wines, Sabbavaram, Visakhapatnam District Bearing Licence No. 478/98-99.
4 Gorle Umamaheshwar Rao, S/o. Appala Naidu,
Licensee of Venkateswara Wines, Vangali, Sabbavaram Mandal,

Visakhapatnam District Bearing Licence No. 174/98-99.
5 Nagulapalli Suryalingam, S/o. Kondayya,
Licensee of Sri Surya Teja Wines, D.No. 370, Ammulapalem,

Visakhapatnam District Bearing Licence No. 57/98-99.
6 Nekkala Appala Naidu, S/o. Sanyasayya,
Licensee of M/s. Naidu Wines, Gullepalli, Visakhapatnam District Bearing Licence No. 554/98-99.
7 Gandhi narayana Babu, S/o. Simhachalam,
Licensee of Friends Wines, Sabbavaram, Visakhapatnam District Bearing Licence No. 191/98-99.
8 Villuri Appala Naidu, S/o. Sriramulu,
Licensee of Sri Gayathri Wines, Mallunaidupalem, Sabbavaram,

Visakhapatnam District Bearing Licence No. 413/98-99.
9 G. Demudu, S/o. Ramu Naidu,
Licensee of Vijaya Wines, Mogalipuram SabbavaramMandal,

Visakhapatnam District Bearing Licence No. 670/98-99.
10 Sabbavarpu Suryanarayana, S/o. Polipali,
Licensee of Sri Lakshmi Wines, Sabbavaram,

Visakhapatnam District Bearing Licence No.

11 Pamarthi Ami Raju, S/o. Seshagiri Rao,
Licensee of Rama Wines, Sabbavaram, Visakhapatnam District Bearing Licence No. 424/98-99.

12 S. Narayana Murthy, S/o. Pydam Naidu,
Licensee of Sri Sri Wines, Aripaka, SabbavaramMandal ,

Visakhapatnam District Bearing Licence No. 172/98-99.

13 S. Mutyalu Naidu, S/o. Pydam Naidu,
Licensee of Sri Sri Wines, Anthakapalli SabbavaramMandal,

Visakhapatnam District Bearing Licence No. 188/98-99.

... PETITIONERS

AND

1 The Government of Andrha pradesh, Revenue (Excise-II) Department, Secretarit, Hyderabad Rep. by its Special Chief Secretary to Government.

2 The Commissioner, Prohibition and Excise, Hyderabad.

3 The Prohibition and Excise superintendent, Visakhapatnam District,

Visakhapatnam.

4 The District Collector, Visakhapatnam District., Visakhapatnam.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the G.O.Ms.No. 184 dated 7-2-2005 as illegal and arbitrary and consequently set-aside the Notification No.18 dated 11-2-2005 issued by the 3rd respondent and pass such other order or orders

COUNSEL FOR THE PETITIONERS: M/S.C.KODANDA RAM

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2713 of 2005

Between:

M/s. Aparna Wines, D.No. 7/99, Patha Varadaiahpalem Road, Srikalahasti, Chittoor District, Rep. by its owner J. Mohan Rao S/o. Bathaiah.

... PETITIONER

AND

1 The State of Andhra Pradesh, Rep. by its Secretary, Revenue (Excise-II) Department, Secretariat, Hyderabad.

2 The Commissioner, Prohibtion & Excise, Hyderabad.

3 The Superintendent of Prohibtion & Excise, Chittoor, Chittoor District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a writ, direction, order or orders more particularly one in the nature of writ of mandamus declaring G.O.Ms.No. 184 dt. 7-2-2005 as arbitary, illegal, violative of Article 14,21 & 300-A of the Constitution of India and consequently set-aside the same in the interest of justice and be pleased to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

COUNSEL FOR THE PETITIONER: Mr.A.Chandraiah Naidu

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2728 of 2005

Between:

1 M/s. Ravi Wines, Kundurpi, Ananthapur District, rep by its Proprietor,
Sri Y. Venkata Ramana, S/o. Sri Y. Thimmappa, aged about 45 years,

R/o. Vidyanagar, Kalyandurg, Anantapur District.
2 N.A.S. Wines, Bommanahal, Ananthapur District, Rep by its Propretor, Sri E. Vijaya Kumar Gowd,
S/o. Sri E. Ramanjaneyulu, Aged about 40 years, R/o. Thimmapuram, Kambadur Mandal, Anantapur District.

... PETITIONERS

AND

1 Government of Andhra Pradesh, represented by its Secretary,

Excise Department, Secretariat Hyderabad.
2 The Commissioner, Prohibition & Excise, Nampally, Hyderabad.
3 The Prohibition & Excise Superintendent, Anantapur, Anantapur District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue appropriate writ, order or direction, more particularly one in the nature of WRIT OF MANDAMUS declaring the G.O.Ms.No. 184 dated 7-2-2005 as illegal in favour of third parties pursuant to the G.O.Ms.No. 184 dated 7-2-2005.

COUNSEL FOR THE PETITIONER: Mr.GOLLA SESHADRI

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

-

WRIT PETITION NO : 2749 of 2005

Between:

1 A.Hanumantha Rao, S/o.Anjaneyulu,
Gayathri Wines, D.No.5-17, Martoor, Prakasam Dist.
2 K.Venkatarayudu, s/o.Krishnaiah,Ganapathi Wines, D.No.15-136/5/2,
Addanki, Prakasam Dist.
3 A.Rajendra Prasad, S/o.Thandava Krishnaiah,
Mitra Wines, Anantavaram, Ongole, Praksam Dist.
4 B.Mohan Rao, S/o.Ramaiah,
Mohan Wines, D.No.8-56, Parchur, Prakasam Dist.
5 A.Yella Reddy, S/o.Meera Reddy,
Venkateswara Wines, D.No.1/98, Chandavaram, Ongole, Praksam Dist.,
6 Shaik Musamiya, S/o.Isamiya, Andhra Wines, D.No.10/187,
Donakonda, Prakasam Dist.
7 Shaik Dayali, S/o.Masthan,
K.Vinayaka Wines, Donakonda, Praksam Dist.
8 B.Venkatachalapathi Rao, S/o.Venkata Subba Rao,
Andhra Wines, D.No.1-63, Kurchedu, Prakasam Dist.
9 M.Malakonda Reddy, S/o.Malakonda Reddy,
Kokila Wines, Main Road, Chintalapalem, Prakasam Dist.
10 M.Venkata Suri Babu, S/o.Aswadha Narayana,
Jabili Wines, D.No.8/69, Kanigiri, Prakasam Dist.
11 B.Venkata Narayana, S/o.Malakondaiah,
New Apsara Wines, D.No.5-1(a), Kanigiri, Prakasam Dist.
12 M.Dayakar Reddy, S/o.Papi Reddy,
Amaranath Wines, D.No.7-220, Kanigiri, Prakasam Dist.
13 M.Bala Hanumanthu, S/o.Anjaiah, 42
Sri Sainath Wines, D.No.8-166, Kanigir, Prakasam Dist.
14 P.Ramesh, S/o.Pitchaiah,
Sri Lakshmi Wines, D.No.7/233, Kanigir, Prakasam Dist.
15 M.Malakonda Reddy, S/o.Malakonda Reddy,
Sri Vijaya Wines, D.No.2/203, Kanigir, Prakasam Dist.
16 A.Brahmaiah, S/o.Tirupalu,
Sri Venkateswara Wines, Main Road, Kanigir, Prakasam Dist.
17 Shaik Ahmed Basha, S/o.Khajawali,
Vijayalakshmi Wines, D.No.9-412, Kanigir, Prakasam Dist.
18 S.Mohan Reddy, S/o.Venkataiah,
Jyothi Wines, D.No.7/13, Kanigir, Prakasam Dist.
19 Sk.Ahmed, S/o.Lal Saheb,
M/s.Srirama Brandy Shop, Sri Dattasai Towers, Lawyer pet,
Ongole, Prakasam Dist.
20 B.V.Subba Rao, S/o.Lakshmaiah,
M/s.Kanipaka Vinayaka Wines, Nellore Bus Stand, Ongole,Prakasam Dist.
21 Sk.Miravali, S/o.Hussain Saheb,
M/s.Kanipaka VinayakaWines, Medarametla, Prakasam Dist.
22 K.Sudhir Babu, S/o.Nageswara Rao,
M/s.Ramathirtham, Chimakurthy (M), Prakasam Dist.
23 Kulwant Singh Mehra, S/o.Swarna Singh Mehra,
M/s.Kalyani Wines, Gullapalem, Maddipadu (M),Prakasam Dist.
24 M.Narasimha, S/o.Hanumantha Rao,
M/s.Sri Venkateswara Wines, Maddipadu (M), Prakasam Dist.
25 P.Prasad, S/o.Malakondaiah,
M/s.Srinivasa Wines, Kurnool Road, Near Vijaya Co.,
Ongole,Prakasam Dist.
26 V.Venkateswarlu, S/o.Ramchandraiah,

M/s.Sri Venkatramana Wines, Ongole,Prakasam Dist.

27 M.Rajendra Kumar, S/o.Nagaraju,
M/s.Hanuman Wines, Srinivasa Sridevi Theatres Road,
Ongole,Prakasam Dist.

28 M.Srinivasa Rao, S/o.Malyadri Naidu,
M/s.Sri Venkateswara Wines, RTC Depot, Kurnool Road,
Ongole, Prakasam Dist.

29 Alla Venkataswami, S/o.Pitchaiah,
M/s.Bhavani Wines, Opp: RTC Depot,
Ongole,Prakasam Dist.

30 V.Srimannarayana, S/o.Chenchuramaiah,
M/s.Jyothi Wines, Nellore Bus Stand,
Ongole,Prakasam Dist.

31 G.Suresh, M/s.SriSai Hanuman Wines, Bye Pass Centre,
Ongole,Prakasam Dist.

32 Y.Nageswara Rao, S/o.Subbaiah,
M/s.Vengamamba Wines, Palakendram Centre,
Pernamitta, S.N.Padu Mandal, Prakasam Dist.

33 K.Sudhakar, S/o.Krishna Murthy,
Amrutha Wines, Ulchi, Ongole,Prakasam Dist.

34 G.Venkat Rao, S/o.Rangaiah,
M/s.Sri Ganapathi Wines, Yerrajarla, Ongole,Prakasam Dist.

35 P.Krishna Murthy, S/o.Chinthaiah,
M/s.Sri Raja Rajeswari Wines, M Nidamaluru, Tangutur Mandal,

Prakasam Dist.

36 G.Hari, S/o.. Narasimham,
M/s.Laxmi Narasimha Wines, Konjedu, Tangutur Mandal, Prakasam Dist.

37 P.Chinthaiah, S/o.Krishna Murthy, M/s.Laxmi Tirupathamma Wines,

IOC Centre, Tangutur Mandal, Prakasam Dist.

38 B.Chandrababu, S/o.Kotaiah,
Dalphin Wines, Nellore Bus Stand, Ongole.

39 M.Venkatrao, S/o.Krishna Murthy,
M/s.Suresh Wines, Railway Station Centre, Ongole, Prakasam Dist.

40 J.Brahmaiah, S/o.Narayana,
M/s.Tirumala Wines, Addanki Bus Stand Centre,
Ongole, Prakasam Dist.

41 M.Rajendra Prasad, S/o.Kondal Rao,
M/s.Sri Kanakamahalakshmi Wines, K.P.Bus Stand, Ongole,
Prakasam Dist.

42 M.Annapurna, W/o.Venkat Rao,
M/s.Sri Venkateswara Wines, Kadavakuduru,
Chinna Ganzam Mandal, Prakasam Dist.

43 B.Haribabu, S/o.Ramalingaiah,
M/s.Prakash Wines, Nav Bharat Theatre Centre,
Ongole, Prakasam Dist.

44 K.Rambabu, S/o.Papa Rao,
M/s.K.P.Wines, Miryalapalem Centre, Ongole, Prakasam Dist.

45 P.V.Krishna Rao, S/o.Satyanarayana,
M/s.S.V.S.Wines, Edugundlapadu, Maddipadu Mandal, Prakasam Dist.

46 J.Pulla Reddi, S/o.Yella Reddi,
M/s.Palnadu Wines, Gullapalli, Maddipadu Mandal, Prakasam Dist.

47 M.Venkateswarlu, S/o.Chenchaiah,

M/s.Sri Sai Ganga Wines, Yellampalli, MaddipaduMandal,
Prakasam Dist.

48 L.N.S.Bose, S/o.Subbaiah, M/s.Srirama Wines, Addanki Bus Stand Centre,
Ongole, Prakasam Dist.

49 G.Srihari, S/o.Venkata Narayana,
M/s.Teja Wines, Market Centre, Ongole, Prakasam Dist.

50 M.Veeraiah Chowdary, S/o.Satyanarayana,
M/s.Balaji Wines, Santhanuthalapadu, S.N.Padu Mandal, Prakasam Dist.

51 G.Sanjay, S/o.Nagaraja Naidu, M/s.Teja Wines, Timmayapalem,
Addanki Mandal, Prakasam Dist.

52 K.Anji Babu, S/o.K.Venkataswami, M/s.Teja Wines, Ammanabrole,
N.G.Padu Mandal, Prakasam Dist.

53 Ch.Veeraiah Chowdary, S/o.Venkateswarlu,
M/s.Teja Wines, Karavadi, Ongole Mandal, Prakasam Dist.

54 N.Prasada Rao, S/o.Pada Malakondaiah, M/s.Kokila Wines, Peda Pavani,

Linga Samudram Mandal, Prakasam Dist.

55 M.Venkatrao, S/o.Yelamandaiah,
M/s.Sri Venkateswara Wines, Linga Samudram (M), Prakasam Dist.

56 G.Usharani, W/o.Veeraiah, M/s.Sri Sai Wines, S.N.Padu (M),
Prakasam Dist.

57 M.Anjaneyulu, S/o.Subbarayudu,
M/s.Kalyani Wines, N.G.Padu, N.G.Padu (M), Prakasam Dist.

58 M.Srinivasa Reddy, S/o.Ramana Reddy.
M/s.Sri Sai Wines, Pernamitta, S.N.Padu Mandal, Prakasam Dist.

59 M.Ramana, S/o.Peda Venkata Subba Reddy,
M/s.Sairam Wines, S.N.Padu, S.N.Padu Mandal, Prakasam Dist.

60 P.Krishna Reddi, S/o.Venkat Reddy,
M/s.Raja Rajeswari Wines, Chimakurthy, Chimakurthy (M),
Prakasam Dist.

... PETITIONERS

AND

1 The Govt.of A.P., Revenue (Excise-II) Dept., Secretariat, Hyderabad.
2 The Commissioner, Prohibition and Excise, Hyderabad.
3 The Prohibition and Excise Superintendent, Ongole, Prakasam Dist.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue an appropriate writ, order or direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the 1st respondent Government in issuing G.O.Ms.No.991, Revenue (Excise-II) Department, dated 4-12-2004 and the consequential G.O.Ms.No.184, Revenue (Excise-II) Department, dated 7-2-2005 as arbitrary, illegal, unjust, contrary to law, in violation of the fundamental rights guaranteed to the petitioners herein under Artiacles 14, 19 and 21 of the Constitution of India and also having the effect of being contrary to the Directive Principles of State Policy apart from being contrary to the provisions of the Andhra Pradesh Excise Act, 1968 and the A.P.Indian Liquor and Foreign Liquor Rules, 1970 and for consequential

direction to the Respondents to consider the case the petitioners herein for renewal of our IL 24-B Licences in accordance with law and pass such other order or orders as are deemed fit and proper in the circumstances of the case.

COUNSEL FOR THE PETITIONERS: Mr.M.Brahma Reddy

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2750 of 2005

Between:

1 P.V.Dharmalingam, S/o Venkatesa Mudali,
3/1-A, Pudupeta, Nagari Mandal, Chittoor district.
2 K.Velmurugan, S/o Subrahmanya Mudali,
10/153, Nagalapuram Road, Nagari, Chittoor District.
3 E.Ekambara Reddy, S/o Munaswamy Reddy,
1-1/8, Ekambara Kuppam, Nagari Mandal, Chittoor District.
4 M.Sulthan, S/o Md.Mohideen,
D.No.53/11 Nagalapuram Road, Nagari, Chittoor District.
5 C.S.Dhananjayan, S/o Subrahmanyam Mudali,
D.No.7/189 Prakasam Road, Nagari, Chittoor District.
6 G.Rajasekhar, S/o Venkataratnam Naidu,
D.No.8-208.A Prakasam Road, Nagari, Chittoor District.
7 E.M.Dandapani, S/o A.J.Manikyam,
D.No.6-92 Chintalapatteda, Nagari Mandal, Chittoor District.
8 P.Mohan, S/o Boojinaidu, D.No.10/118, Pallipatt Road,
Nagari, Chittoor District.
9 A.Lokanatham, S/o Natarajan, Tadukupeta,
Nagari Mandal, Chittoor District.
10 A.Natarajan, S/o Subrahmanyam Naidu,13, Girinaidu complex, Nindra,
Nagari Mandal, Chittoor District.
11 M.N.Mohan, S/o Natesa Mudali, D.No.1-276, K.V.R.Pet,
Nagari Mandal, Chittoor District.
12 C.E.Varadappan, S/o C.N.Elumalai, D.No.3/74, Pudupeta,
Nagari Mandal, Chittoor District.
13 A.Ashokan, S/o Annamalai Mudali, D.No.11/48, Nagalapuram Road,
Nagari, Chittoor District.
14 G.Ranganathan, S/o Govindawami, D.No.2-5/1, Pudupeta,
Nagari Mandal, Chittoor District.
15 A.V.Subrahmanyam S/o Varadppa Mudali, D.No.3-93, Satrawada,
Nagari Mandal, Chittoor District.
16 R.Kesavulu Naidu, S/o Srinivasulu Naidu, Prakasam Road,
Nagari, Chittoor District.
17 C.A.Shanmugam, S/o Adimulam Naidu, D.No.1-4A, Ekambarakuppam,
Nagari Mandal, Chittoor District.
18 K.Ramesh, S/o Kannai Naidu, D.No.11/3, Prakasam Road,
Nagari, Chittoor District.
19 T.Devarajulu, S/o Nagaiah, D.No.2-460, Taduku R.S.,
Vadamala, Chittoor District.
20 P.Chandraiah, S/o Subrahmanyam, D.No.192-A, Puttur Village

and Mandal Chittoor District.
21 D.Umapathi, S/o Guruswamy, D.No.4-56, Vadamalapeta

Village &Mandal, Chittoor District.
22 P.Mangaiah Naidu S/o Errappa Naidu
D.No.5-80/3, Vadamalapeta Village & Mandal, Chittoor District.
23 D.Rama Moorthy, S/o Subbarayalu Naidu, Aruru Village,

Satyaveedu Mandal, Chittoor District.
24 Y.Damodara Reddy S/o Subba Reddy
Vampalli Village, Srikalahasti, Chittoor District.
25 T.Paradesaiah, S/o Gangaiah, Dasukuppam Village, Satyaveedu,
chittoor District.

26 K.Pratap Reddy, S/o Sundararami Reddy,
Dasukuppam Village, Satyaveedu Mandal, Chittoor District.
27 C.Udaya Kumar S/o Late Venkata raju,
Satyaveedu Village & Town, Chittoor District.
28 B.Lokaiah, S/o Venkata Reddy,
Dasukuppam village, Satyaveedu Mandal, Chittoor District.
29 K.Ramachandra reddy S/o Subba Reddy,
Dasukuppam Village and Town, SatyaveeduRoad,
Chittoor District.

... PETITIONERS

AND

1 The Government of Andhra Pradesh , Revenue (Excise-II) Department,

Secretariat, Hyderabad, Rep.by its Special Chief Secretary.
2 The Commissioner of Prohibition &Excise, Govt. of Andhra Pradesh,

Hyderabad.
3 The Superintendent of Prohibition & Excise, chittoor, Chittoor District.
4 The District Collector, Chittoor District , Chittoor.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ, order o direction more particularly one in the nature of Writ of Mandamus declaring the G.O.Ms.No.184 Revenue (Excise-II) Department, dt. 07/02/2005 as illegal, unjust and arbitrary and consequently set aside the G.O.Ms.No.184 Revenue (Excise-II) Department dt. 07-02-2005 and the consequential notification issued by the 3rd respondent and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

COUNSEL FOR THE PETITIONERS: MR.L.J.VEERA REDDY

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

-

WRIT PETITION NO : 2759 of 2005

Between:

1 Mandi Srinivasulu Reddy, S/o. Anki Reddy,
Licensee of Tirumala Wines, Utukuru syadapuram Mandal,
Nellore District.
2 Kanda Masthanaiah, S/o. Masthanaiah,
Licensee of Sri Sai Sreenivasa Wines, Viruvoor, Podalakur Mandal,
Nellore District. R/o. Thatiparthi (Village), Podalakur Mandal, Nellore Distri
3 Neelam Srinvasulu Reddy, S/o. Tirupal Reddy,
Licensee of Sri Sai Ram Wines, Kalichedu, Syadapuram Mandal,
Nellore District. R/o. Thatiparthi (Village), Podalakur Mandal, Nellore Distri

... PETITIONERS

AND

1 The Special Chief Secretary, Revenue (Excise-Ii) Department,
Government of Andhra Pradesh, Secretariat Buildings, Hyderbad.
2 The Commissioner, Prohibition and Excise,
government of Andrha Pradesh, Hyderabad.
3 The Prohibition & Excise Superintendent, Nellore, Nellore District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or Direction more particularly one in the nature of WRIT OF MANDAMUS under Article 226 of the Constittution of India declaring the G.O.Ms.No.184, Revenue (Excise-II) Department, Government of Andhra Pradesh, dated 7-2-2005 and the consequential ntofication dated 11-2-2005 issued bythe 3rd respondent is arbitrary, illegal, without jurisidiction and consequentlyset aside the same and pass such other order or orders in the itnerest of justice.

COUNSEL FOR THE PETITIONERS: MR.CH.C.KRISHNA REDDY

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2760 of 2005

Between:

1 A. Kishan Reddy, S/o. Raghava Reddy, IL - 24, licensee of

M/S. Sree Lakshmi Wines, Parkal, District Warangal.
2 B. Mondaiah, S/o. Komuraiah, R/o. Parkal, IL - 24 &, 24 B Licensee of

M/S. Kumkumeshwara Wines, Parkal, District Warangal.
3 P. Ashok Kumar, S/o. Ramaiah, R/o. Parkal, IL - 24 &, 24 B Licensee

of M/S. Jagadhamba Wines Parkal, District Warangal.
4 N. Ravi Babu, S/o. Yadhagiri, R/o. Parkal, IL - 24 Licensee of

M/S. Sunny Wines Parkal, District Warangal.
5 K. Rajeshwar Rao, S/o. Rama Rao,
R/o. Parkal, IL - 24 &, 24 B Licensee of M/S. Haritha Wines
Parkal, District Warangal.

6 K. Raghupathi Reddy, S/o. Buchi Reddy,R/o. Parkal, IL - 24 &,

24 B Licensee of M/S. Venkatramana Wines Parkal, District Warangal.
7 S.V. Nagesh, S/o. Narayana,
R/o. Parkal, IL - 24 &, 24 B Licensee of M/S. Hindu Wines
Parkal, District Warangal.
8 K. Srinivas, S/o. Rajanna, R/o. Parkal, IL - 24 &, 24 B Licensee of M/S. Shivamahesh Wines Parkal, District Warangal.
9 M.A. Raheem, S/o. Ankoos,
R/o. Parkal, IL - 24, Licensee of M/S. Parkal Wines
Parkal, District Warangal.
10 K. Rajendar Reddy, S/o. K. Venkat Reddy,
R/o. Parkal, IL - 24 Licensee of M/S. Venkateshwara Wines
Parkal, District Warangal.
11 D. Shekar, S/o. D. Narsaiah,
R/o. Parkal, IL - 24 &, 24 B Licensee of M/S. Krishna Wines
Parkal, District Warangal.
12 P. Rajaiah, S/o. Erraiah,
R/o. Parkal, IL - 24 &, 24 B Licensee of M/S. Raja Rajeshwari Wines
Parkal, District Warangal.
13 K. Raja Kumar, S/o. Narayana,
R/o. Parkal, IL - 24 &, 24 B Licensee of M/S. Shiva Parameshwari Wines
Bhupalpally, District Warangal.
14 K. Babu Rao, S/o. Sammaiah,
R/o. Regonda, IL - 24 Licensee of M/S. Lakshminarasimha Wines
Regonda, District Warangal.
15 G. Ravinder Reddy, S/o. Raj Reddy,
R/o. Shyampet, IL 24 Licensee of M/S. Ravi Teja Wines
Shyampet, District Warangal.

... PETITIONERS

AND

1 The Government of Andhra Pradesh, Rep. by its Principal Secretary,
Revenue (Excise-II) Department, Secretariat Buildings, Hyderbad.
2 The Commissioner of Prohibition and Excise, Andhra Pradesh, Nampally, Hyderabad.
3 The Prohibition and Excise Superintendent, Warangal District, Warangal.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue Writ of Mandamus or any other appropriate writ or direction, declaring the G.O.Ms.No.184 dated 7/2/2005 as illegal, arbitrary and consequently direct the respondents not to issue license in favour of 3rd parties pursuant to G.O.Ms.No. 184 dt. 7/2/2005 and to pass such other orderor orders

COUNSEL FOR THE PETITIONERS: MR.A.RAVINDER

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2762 of 2005

Between:

1 M/s. Sri Rama Wines, D.No. 29-1-6, Nagadevi Theatre Road, Rajamundry,

E.G. District, rep by its Licensee M. Antharvedi Reddy
2 M/s. Indraja Wines, D.No. 70-3-69, Lalacheruvu, Rajamundry, E.G. District,
rep by its Licensee K.V.K. Reddy
3 M/s. Vasundhara Wines, D.No. 17-16-1, Seethampeta, Rajamundry,

E.G. District, rep by its Licensee Nallamilli Veer Reddy
4 M/s. G.N. Murthy Brandy Shop, D.No. 14-102, Moranpudi Road, Rajamundry,

E.G. District, rep by its Licensee G.N.V.L. Narayana.
5 M/s. G.N. Murthy Brandy Shop, D.No. 10-1-1, Fort gate, Rajamundry,

E.G. District, rep by its Licensee G. Sree Rama Murthy

... PETITIONERS

AND

1 The Government of Andhra Pradesh, Rep by its Special Chief Secretary,
Revenue (Excise-II) Department, Secretariat, Hyderabad.
2 The Commissioner of Prohibition & Excise, Andhra Pradesh, Nampally,
Hyderabad.
3 The Deputy Commissioner of Prohibition & Excise, Kakinada Division at
Kakinada, East Godavari District.
4 The Prohibition & Excise Superintendent, Kakinada, East Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue an appropriate writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the 1st respondent contained in G.O.Ms.No. 184 Revenue (Excise-II) Department, dated 07-02-2005 purporting to avoid the renewal of the existing IL 24 licenses and proceedings to issue a licensees for the 7,500 IL-24 shops in the State, arbitrary, discrimanatory and illegal and consequently direct the respondents to continue to renew the IL-24 licenses of the petitioners for the excise year to 2005-06 onwards.

COUNSEL FOR THE PETITIONERS: MR.S.SIVA REDDY

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2771 of 2005

Between:

1 Menaka Wines(IL.24) Opp.to Ramakrishna Theatre, Rajahmundry.,
E.G.Disrict, rep.by its Licencee Holder M.Ramakrishna Reddy S/o Adireddy Hindu,
aged, 55 years, Business, H.No.36-25-26, Innispet, Rajahmundry, E.G.district.
2 Menaka Wines(IL.24) D.No.6-5-74, T.Nagar Rajahmundry, E.G.district Licencee
No.52/2003-2004 rep.by its Licencee Holder Smt. M.Krishnaveni W/o
M.R.K.Reddy, H.No.36-25-26, Innispet, Rajahmundry, E.G.district.

... PETITIONERS

AND

1 The Goverment of Andhra Pradesh Rep.by its Secretary, Excise Department Secreatriat, Hyderabad.
2 The Commissioner Prohibition and Excise, Nampally, Hyderabad.
3 The Prohibition and Excise Superintendent, Kakinada, E.G.District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ, order or direction, one in the nature of writ of Mandamus, declaring the G.O.Ms.No.184, dt. 07/02/2005 issued by the 1st respodnent herein as illegal and arbitrary and consequently direct the respondents not to issue licences in favour of third parties pursuant to the G.OMs.No.184 dt. 07/02/2005 and to the pass such other order or ordes as this Hon'ble Court may deem fit and proper in the circusmtances of the case.

COUNSEL FOR THE PETITIONERS: MR.K.RAMESH BABU

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2778 of 2005

Between:

1 C.Ramachandraiah S/o C.Muniswamy,
R/o H.No.18-1-389, Bhavani Nagar, Tirupathi
2 P.Laxmi Prasad s/o P.Srinivasulu Naidu
R/o 19-9-1/4 Kakatiyanagar, Tirupathi
3 E.Umapathi Naidu S/o E.Ramaswamy Naidu
R/o 14-199 Padmavathipuram, Tirupathi
4 S.Sudhakara Reddy S/o S.Munikrishna Reddy
R/o Gajulamandyam, Renigunta Mandal, chittoor District
5 P.Lokesh S/o P.Gopal, R/o 10-2-436/A, Kotakommala Srtreet, Tirupathi
6 M.Prasad S/o M.Ranganatha Naidu
C/o Sreevidya Niketan Educational Institutions, Sri Sainath Nagar,

A.Rangampet, Chandragiri Mandal, Chittoor District.
7 M.Venkataiah Naidu S/o M.Narayana Swamy,
R/o Naravaripalli village, Chandragiri Mandal, Chittoor District
8 S.Ghouse Peera S/o S.Abdullah Saheb
R/o 11-94, S.V.Nagar M.R Palli, chittoor District.
9 N.Rajagopal Chetty S/o N.Narayana Chetty
19/3/11 B, Srinivasapuram, Old Renigunta Road, Tirupathi
10 N.Janaki Ram S/o N.RajagopalChetty,
R/o 6-1-70/2A K.T Road, Tirupathi
11 S.Khader Basha S/o S.Mahaboob Peera
2-2-388/1, S.V.University Road, Backside Indane Gas, Tirupathi

12 L.V.Prasanth Kondeti S/o K.Chandra Sekhar
R/o No.27 TUDA Plots, Royalnagar, R.C.Road Tirupathi.
13 C.Eswaraiah S/o C.Gopalaiah
R/o 19-472, Renigunta, chittoor District.
14 J.Ramprasad Reddy S/o J.Arjun Reddy
C/o Menaka Wines Gajulamandyam, Chittoor District.
15 P.Venkatamuni Reddy S/o P.Venkata Reddy,
C/o Andhra Wines, Tanapalli Village, Kuntrapakam Post,
Tirupathi Rural
16 J.Chandra Sekhar Reddy S/o J.Ratnam Reddy
R/o 13/6/600-44 D Peddakapu Layout, Tirupathi
17 N.Raghupathi S/o N.Chengaiah Chetty
R/o 10-14-587, Mosque Road, Tirupathi
18 S.Bhaskar S/o C.Ramakrishna Naidu.
R/o 18-1-637, Bhavani Nagar, Tirupathi.
19 P.Ram Mohan Reddy S/o P.Rami reddy
C/o Leela Mahal Junction, Tirupathi,
20 P.Sankar S/o P.Gopal, 10-12-436, K.K.Street, Tirupathi.
21 P.Joythi Narayana S/o P.Govinda Nair,
C/o Jyothi Wines, 1-56, Post office Street Renigunta, Chittoor District.
22 C.Niranjani W/o C.Nagaraj ReddY, R/o 168, TP Area, Tirupathi.
23 A.Muni Venkata Rami Reddy S/o A.Munihara Reddy
Kummarapalli Village & Post Renigunta Mandal, Chittoor District.
24 K.Jayasankar S/o K.V.Padmanabham, Gunda Varayunimitta Village,

Madhamala Post, Yerpedu Mandal, Chittoor District.

25 K.Bhasker Reddy S/o K.Bhima Reddy

9-47, Amaravathy Nagar, M.R.Palli, Triupathi-2
26 I.Ramanamma W/o late I.Venkateswarlu
1-62, south Post office Street, Renigunta, Chittoor Dist.
27 S.Jayakumar S/o S.Sriramulu Chetty,
10-3-189, 1st Floor, KK Street, Chittoor
28 V.Guru Prasad S/o V.Ramaiah, R/o D.No.109, P.K.Street, Tirupathi.
29 Y.Doraswamy S/o Y.Venkatrayalu Naidu,
D.No.3-78, Bazar Street, Renigunta, Chittoor District.
30 T.Ram Prasad S/o T.Subbarayulu, D.No.1061,

Bommanagunta near Jyothi Talkies Area, Tirupathi.
31 M.Reddappa Naidu S/o M.Venkata Subbaiah Naidu,
1-10, Srinivasa Puram, Tiruchanoor Road, Tirupathi.
32 G.Sambasiva Reddy S/o G.Gurava Reddy
2-46, Tirupathi to Srikalahasthi Road, Yerpedu, Chittoor District
33 N.Madhusudhana Rao s/o N.Papa Rao,
1-80-2, Near Railway Station Road, Renigunta, Chittoor District.
34 V.Vasudeva Reddy S/o V.Krishna Reddy
D.No.14-254, Tirupathi Road, Renigunta, Chittoor District.
35 S.Amarnath S/o G.Ramachandra Naidu,
19-19A, D.R.Mahal Road, Near Second Choultry, Tirupathi.
36 P.Kiran Kumar S/o P.Rama Moorthy, 8-436, Mangalam Village, Tirupathi,
37 K.Ramesh S/o K.M.Subramanyam,
D.No.9-49A, Karakambadi Village, Renigunta Mandal, Chittoor District.
38 K.M.Subramanyam S/o K.Muniswamy,
1-72-1, Railway Booking Office Road, Renigunta, Chittoor District.

39 K.Ravi S/o K.Radhakrishnaiah
77/103, Upparapalem, Tirupathi, Urban Mandal, Chittoor District.
40 P.Rami Reddy S/o P.Subba Reddy, D.No.324, Gandhi Road, Tirupathi.
41 R.Sudarsan S/o R.Venkatappa,
Kalangil village, KVB Puram Mandal, Srikalahasti, Chittoor District
42 L.Madhu Babu S/o Manohar Babu
D.No.16/5 & 165 (1) Srikalahasthi, Chittoor District.
43 M.Subramanyam S/o M.Sankaraiah
D.No.1-671, Kranthi Street, Vadamalapeta, Chittoor District.
44 V.Dhanajaya Reddy S/o Kamalanabha Reddy
R Mallavaram Village, Renigunta Mandal, Chittoor Dist.
45 N.Murali Mohan S/o N.Jayarama Naidu,
C/o M/s Kalyani Wines, Municipal Market, Tirupathi
46 B.Giri Babu S/o B.Venkata Swamy Naidu
19-6-50/C/2, STV Nagar, Tirupathi
47 B.Vasantha W/o B.Giribabau
D.No.20-1-440 A, Korlagunta Maseedh Street, Tirupathi
48 O.M.Mohan Babu S/o O.M.Radhakrishna,
20-3-678 D, Korlagunta Byepass Road, Tirupathi,

..... PETITIONERS

AND

1 Government of Andhra Pradesh Revenue (Excise-II) Department,

at Secretariat, Hyderabad, rep.by its Special Chief Secretary to Government
2 The Commissioner, Prohibiton and Excise, Hyderabad.
3 The Prohibition &Excise Superintendent, Chittoor District.
4 The District Collector, Chittoor District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ of Mandamus or any other appropriate writ or writs, order or Direction, declaring the G.O.Ms.No.184 dt. 07/02/2005 on the file of first respondent, as illegal and arbitrary and set aside the consequential notification No.18/2005 issued by the third respondent dt 11/02/2005; Award costs and pass such other or further orders as are deemed fit and proper in the circumstances of the case.

COUNSEL FOR THE PETITIONERS: MR.N.SRIDHAR REDDY

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2779 of 2005

Between:

M/s. Sripriya Wines, Addanki Rep. by its Licence Holder
M. Prabhakar Reddy S/o. Pedda Anji Reddy, Hindu, aged 40 years,
R/o. Addanki, Prakasam District.

... PETITIONER

AND

1 The Special Chief Secretary, Revenue (Excise-II) Secretariat,

Hyderabad-A.P.
2 The Commissioner, Prohibition & Excise, Hyderabad.
3 The Deputy Commissioner, Prohibition & Excise, Prakasham at Ongole.
4 The Excise Superintendent, Prohibition & Excise,

Prakasham District at Ongole.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order or direction more particularly one in the nature of Writ of Mandamus declaring that G.O.Ms. No. 184 dt. 7-2-2005 issued by the Government of Andhra Pradesh Revenue (Excise II) Department as unconstitutional, illegal and arbitrary and consequently set aside the same and direct the respondents to consider renewal of the existing licence in accordance with law, and pass such other order or orders.

COUNSEL FOR THE PETITIONERS: SMT.A.GAYATRI REDDY

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

-

WRIT PETITION NO : 2780 of 2005

Between:

1 Sri P. Ajay Kumar, S/o. Venkat Rao,
R/o. Dharmaram, Jammikunta Mandal, Karimangar District.
2 Sri S. Bhaskar Rao, S/o. Narsing Rao,
R/o. Jammikunta Mandal, Karimnagar District.

... PETITIONERS

AND

1 The Superintendent, Prohibition and Excise, Karimnagar District.
2 The Commissioner, Prohibition and Excise, Hyderabad.
3 The Special Chief Secretary, Revenue /(Excise-II) Department,
Government of Andhra Pradesh, Secretariat Buildings, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or Direction, more particularly one in the nature of WRIT OF MANDAMUS:- (a) declaring that portion of impugned G.O.Ms.No.206 dt. 10-02-2005 amending rule 3(h) rule 69 & 70 of the AP Indian Liquor & Foreign Liquor Rules 1970 as void being contrary to the provisions of the A.P. Excise Act, 1968 and consequently to declre the procedure adopted for grant of IL-24B Licence i.e., permit rooms tot hose licensee holders who have IL-24 Licence in a town which has more than 5000 to 25,000 population, as bad and illegal, (b) to declare the impugned G.O.No.184 dt. 07-02-2005 as invalid, discriminatory and ultravires the operation of the Indian Liquor and Foreing Liquor Rules, 1970, and consequently, and to declare that the existing IL 24 Licences with permission to run permit Rooms (On Premises Consumption) with a population above 25,000 be granted on par facility of automatic renewal vested by the impugned G.O.Ms.No.185 dt. 07-02-2005 to other IL 17(on Premises) licenses, and to pass necessary orders.

COUNSEL FOR THE PETITIONERS: MR.ERANKI PHANI KUMAR

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

-

WRIT PETITION NO : 2785 of 2005

Between:

1 CHSR Wines, Sathupally, rep. by its Chintalapati, Srinivasa Rao,
S/o. Venkateswar Rao, R/o. Sathupally, Khammam District.
2 BABU Wines, Sathupally, rep. by its Chadalawada Venkateswara Rao,
S/o. Kesava Rao, R/o. Sathupally, Khammam District.
3 Jyothi Wines, Sathupally, rep. by its N. Krishna Rao, S/o. Satyanarayana,
R/o. Sathupally, Khammam District.
4 SRI GANESH WINES, Venneched, rep. By Ch.Satyanarayana,
S/o. Kotaiah, Chennuru, Khammam District.
5 SREE BALAJI WINES, Sathupally, rep. by its T.V. Srinivasa Rao,

S/o. Rama Rao, R/o. Sathupally, Khammam District.
6 Sree Krishna Wines, Penubally, rep. by its N. Radha Krishna, S/o. Narayana,
R/o. Karaigudem, Khammam District.
7 SRI SAI RAM WINES, Penubally, rep. by its Nalla Bose, S/o. Ballaramaiah,
R/o. Khammam, Khammam District.
8 SRI VENKATESWARA WINES, Khan Khanpet, rep. by P. Prasad Reddy,
S/o. Raghav Reddy, R/o. Narayanpuram, Khammam District.
9 BALAJI WINES, sathupally, rep. by its k. narender reddy,
S/o. Nage Reddy, R/o. Kothuru, Khammam District.
10 SAI RAM WINES, GANAGARAM, SAthupally Mandal, rep. by

R. Nagender Rao, R/o. Narayan PUram, Khammam District.
11 SAI BRANDY SHOP, Khan Khanpet, rep. By M.Sesha, Reddy,
S/o. Pappi Reddy, R/o.Narayanapuram, Khammam District.
12 SRI SRINIVASA WINES, Aswaraopet, rep. by its T. Vijayakumar Reddy,
S/o.Vankat Reddy, R/o. Aswaraopet, Khammam District.

13 Lakshmi Ganapathi Wines, Aswaraopet, rep. by its J. Brahama Rao,

S/o. Ranga Rao, R/o. Aswaraopet, Khammam District.
14 SRI SAI WINES, Patvarigudem, rep. by its K. SRINIVASA RAO,

S/o. Late Rama Rao, R/o. Aswaraopet, Khammam district.

... PETITIONERS

AND

1 The State of A.P., rep. by its Secretary, Revenue (Excise-II) Dept.,

Secretariat, Hyd.
2 The Commissioner, Proh & Excise, Govt of A.P., MJ Road, Hyderabad.
3 The Superintendent of Excise, Khammam, Khammam District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue an appropriate writ, order or direction, more particularly one in the nature of writ of mandamus, declaring G.O.Ms.No. 184, Revenue (Excise-II) Department, dt. 07.02.2005, as arbitrary, illegal, violative of Article 14, 21 and 300-A of Consitution of India and consequently set aside the same and pass such other order or orders.

COUNSEL FOR THE PETITIONERS:MR.LINGESWARA RAO PANDRANKI

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2787 of 2005

Between:

1 S.Anwar, S/o Tippu Saheb, M/S Star Wines, M.B.T.Road,
Palamaner, Chittoor District.
2 G.Srinivasulu, S/o Challamaiah, M/s Ganapathi Wines,

M.B.T.Road, Palamaner, Chittoor District.
3 E.Munirathanam, S/o E.Chengappa,
M/s Deepika Wines, Palamaner, Chittoor District.
4 S.Narasimhulu Chetty, S/o Subbaiah Chetty,
M/S Balaji Wines, Gangavaram, Chittoor District.
5 B.Pandian, S/o A.K.Krishnamurthy,
M/s Lucky Wines, Palamaner, Chittoor District.
6 P.Doraswamy Naidu, S/o Krishnama Naidu
M/s Sai Likitha Wines, Palamaner, Chittoor District.
7 K.Seshagiri, S/o Subba Naidu
M/s Gayathri Wines, Palamaner, Chittoor District.
8 A.Damodara Reddy S/o A.Sriramulu Reddy,
M/s Damu Wines, Palamaner, Chittoor District.
9 A.Ramachandraiah S/o Chengappa,

M/s Sri Vinayaka Wines, Palamaner, Chittoor District.

10 K.Venugopal, S/o Ramaiah

M/s Vigneswara Wines, Gangavaram, Palamaner, Chittoor District.

... PETITIONERS

AND

1. The Government of Andhra Pradesh Revenue (Excise.II) Department,

Secretariat, Hyderabad, Rep.by its Special Cheif Secretary to Government.

2 The Commissioner, Prohibiton and Excise, Hyderabad.

3 The Prohibition and Excise Superintendent, Chittoor District.

4 The District Collector, Chittoor District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of mandamus or any other appropriate writ or direction declaring the G.O.Ms.No.184, dated 7.02.2005 as illegal and arbitrary and set aside the consequential Notification No.18/2005 issued by the 3rd respondent dated 11.2.2005.

WRIT PETITION NO : 2793 of 2005

Between:

1 Veera Brahmendra Wines, Licence No. 597, Vempakampalli,

V. Krishna Rao, S/o. China Chennaiah, 24 Years, Proprietor of Veera

Brahmendra Wines, Vempakam Palli, P.C. Palle Mandal, Kanigiri Circle,
Prakasam District.

2 Vengamamba Wines, Licence No. 319, G. venkateshwarulu, S/o. subbaiah,
48 Years, Proprietor of Vengamamba Wines, R/o. Pedapadu, P.C. Palli Mandal,
Kanigiri Circle, Prakasam District.

3 Sai Wines, Licence No. 317, V. Peddanna, S/o. Chinna Chennaiah,
35 Years, Proprietor of Sai Wines, R/o. Vemapakampalli, P.C. Palli Mandal,

Kanigiri Circle, Prakasam District.

... PETITIONERS

AND

1 The Special Chief Secretary, Revenue (Excise-II) Department,
Government of Andhra Pradesh, Secretariat, Hyderabad.
2 The Commissioner, Prohibition and Excise,
Government of Andhra Pradesh, Secretariat, Hyderabad.
3 The Deputy Commissioner, Prohibition and Excise,
Ongole, Prakasam district.
4 The Excise Superintendent, Prohibition and Excise,
Ongole, Prakasam district.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction ore particualrly one in the nature of Writ of Mandamus, declaring G.O.Ms.No. 184, dated 7-2-2004 issued by the Government of Andhra Pradesh, Revenue (Excise-II) Department as unconstitutional illegal and arbitrary and consequently set aside the same and direct the respodnents to consider renewal of the existing licensees n accordance with law, and to pass such other order or orders.

COUNSEL FOR THE PETITIONERS: MR.MD.SALEEM

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2797 of 2005

Between:

1 M/s. Sri Venkateshwara Wines, Licence No.24, B. Kothakota,

E. Lakshmanna, S/o. E. Ramanna, aged about 65 Years, Occ: Business,

R/o. D.No. XVI-74, B. Kothakot Village and Mandal, Chittoor District.
2 M/s. Sri Nandini Wines, Licence No.40, B. Kothakota, K. Reddeppa Reddy,

S/o. Venkata Reddy, aged about 34 Years, Occ: Business, R/o. D.No. 10-75,

Beerangi Road, B. Kothakota Village & Mandal, Chittoor District.
3 M/s. Sri Krishna Wines, Licence No.179, B. Kothakota, K.P. Venkatarama

Reddy, S/o. Papi Reddy, aged about 44 Years, Occ: Business,

R/o. D.No. 10- 136-2A, Teru Bazar B. Kothakota Village & Mandal,
Chittoor District.
4 M/s. Balaji Wines, Licence No.25, B. Kothakota, N. Krishna Reddy,

S/o. N. Narayana Reddy, aged about 45 Years, Occ: Business,

R/o. 10-126, Bangalore Road, B. Kothakota Village & Mandal
Chittoor District.

5 M/s. Gauthami Wines, Licence No.456, B. Kothakota, G. Veerabadrappa,

S/o. Venkatappa, aged about 46 Years, Occ: Business,

R/o. B. Kothakota Village & Mandal, Chittoor District.

... PETITIONERS

AND

1 The Special Chief Secretary, Revenue (Excise-II) Department,
Government of Andhra Pradesh, Secretariat, Hyderabad.
2 The Commissioner, Prohibition and Excise,
Government of Andhra Pradesh, Hyderabad.
3 The Deputy Commissioner, Prohibition and Excise, Anantapur.
4 The Excise Superintendent, Prohibition and Excise,
Chittor, Chittoor District.

....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue aWrit, order or direction more particularly one in the nature of Writ of Mandamus, declaring G.O.Ms.No. 184, dt. 7-2-2005 issued by the Government of Andhra Pradesh, Revenue (Excise-II) Department as unconstitutional illegal and arbitrary and consequenttly set aside the same and direct the respondents to consider renewal of the existing licensees in accordance with law, and to pass such other order or order.

COUNSEL FOR THE PETITIONERS: MR.MD.SALEEM

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

-

WRIT PETITION NO : 2798 of 2005

Between:

1 M/s Sri Syamala Wines, Kolletikota Sri N.Kali Prasad, S/o Rama Rao.
R/o C-56, Kolletikota, Krishna District.
2 M/s Sri Syamala Wines, Perikogudem Sir N.Satyanarayana, S/o Jogi Naidu
R/o Perikigudem Village, Mandavalli Mandal Krishna District.

... PETITIONERS

AND

1 The Speical Chief Secretary, Revenue (Excise-II) Department

Government of Andhra Pradesh Secretariat building , Hyderabad.
2 The Commissioner Prohibition & Excise
Government of Andhra Pradesh Hyderabad.
3 Deputy Commissioner Prohibition and Excise, , Kakinada,.
4 The Excise Superintendent Prohibition and Excise ,

Krishna at Machilipatnam.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ, order or direction more paticularly one in the nature of Writ of Mandamus declaring G.O.Ms.No.184 dt. 07/02/2005 issued by the Government of Andhra Pradesh ,Revenue (Excise-II) Department as unconstitutional illegal and arbitrary and consequently set aside the same and direct the respondents to consider renewal of the existing licencess in accordance with law, and pass such other order or orders as are deemed fit and proper in the circusmtances of the case.

COUNSEL FOR THE PETITIONERS: MR.P.SRI RAGHU RAM

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2802 of 2005

Between:

1 M/s. Shiva Shakthi Wines, Rampally village, Keesara Mandal,
Rangareddy Dist., Rep. By owner, V. Pentaiah Goud
2 M/s. SRi Nagarjuna Wines, Premises bearing NO. 2-37,

Keesara Village and Mandal, Rangareddy Dist., Rep.

By owner, P. Narasimha Goud.
3 M/s Jeeva Wines, H.NO. 3-34, Rampally village, Keesara Mandal,
Rangareddy Dist., Rep. By Owner A. Sadanandam.
4 M/s Tirumala Wines, H.NO. 1-3, Bogaram Village,
Keesara Mandal, Rangareddy Dist., Rep. By Owner M. Santosh,
5 M/s. Sri Durga Wines, H.NO. 1-138, Keesara Village and Mandal,
Rangareddy Dist., Rep. By Owner, R. Sridhar Reddy,
6 M/s. Madhavi Wines, H.NO. 3-565/1, Keesara Village and Mandal,
Rangareddy Dist., Rep. By Owner, B. Agamaiah.
7 M/s. Jyothi Wines, D.NO. 2-44/1, Keesara Village and Mandal,
Rangareddy Dist., Rep. By Owner, D. Prabhakar.
8 M/s. Shiva Wines, D.NO.1-84/1, Keesara Main Road,
Keesara village and Mandal Rangareddy Dist., Rep. By Owner

M. Poorna Chander.

9 M/s. Mamatha Wines, H.No. 2-3/1, Keesara village and Mandal, Keesara village and Mandal Rangareddy Dist., Rep. By Owner R. Pratap Reddy, son of Sathi Reddy

10 M/s. Kali Durga Wines, Shop No.2, Ankireddypally village, Keesara Mandal,

Rangareddy Dist., Rep. By Owner P. Ramesh.

11 M/s. Sri Sai Krupa Wines, H.No. 1-66, Yadgarpalli Village, Keesara Mandal, Rangareddy Dist., Rep. By Owner, M. Nagabushanam Goud.

12 M/s. Durga Wines, H.NO. 1-24, Yadgarpalli Vilalge, Keesara Mandal, Rangareddy Dist., Rep. By Owner, K. Venkat Reddy

13 M/s. Sri Mahalaxmi Wines, H.No. 4-47/1, Nagaram Village, Keesara Mandal, Rangareddy Dist., Rep. By Owner G. Yadagiri.

14 M/s. Chandra Wines, Mulgi No.3, Nagaram Main Road, Nagaram, Keesara Mandal, Rangareddy Dist., Rep. By Owner S. Jangaiah.

15 M/s. Shirisha Wines, H.No. 4-3, Nagaram Village, Keesara Mandal Rangareddy Dist., Rep. By Owner M. Pratap Reddy.

16 M/s. Panchajanya Wines, H.No. 7-5, Ghatkesar Vilage and Mandal, Rangareddy Dist., Rep. By Owner L. Ramesh Goud.

17 M/s. Srinivas Wines, H.No. 6-4, Ahmedguda, Keesara Mandal, Rangareddy Dist., Rep. By Owner T. Ashok Goud.

18 M/s. Ramakrishna Wines, 3-37, Balajinagar, Ghatkeser Mandal, Rangareddy Dist., Rep. By Owner Mr. D. Srinivas Goud.

19 M/s. Sai Kiran Wines, 7-80, Ghatkesar Vilage and Mandal, Rangareddy Dist., Rep. By Owner S. Gopi.

20 M/s. Sai Krupa Wines, Ecil X Roads, Kamalanagar, Kushaiguda, Rangareddy Dist., Rep. By Owner B. Nagesh Goud.

21 M/s. Sai Sai Ram Wines, Ghandinagar, Kapra, Rangareddy Dist., Rep. By Owner B. Ramesh Goud.

... PETITIONERS

AND

1 The State of Andhra Pradesh, Rep. by its Secretary, Revenue (Excise-II) Department, Secretariat, Hyderabad.

2 The Commissioner, Prohibition & Excise, Hyderabad.

3 The Superintendent of Excise, Rangareddy, Rangareddy District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a writ or order or direction more particluarly one in the nature of Writ Mandamus, declaring the G.O.Ms. No. 184 dated 07-02-2005, as arbitrary, illegal, violative of Articles 14,21 & 300-A of the Constitution of India and consequently set aside the same and pass such other order or orders which this Hon'ble Court may deem fit and proper in the circumstances of this case.

COUNSEL FOR THE PETITIONERS: MR.POTTIGARI SRIDHAR REDDY

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2803 of 2005

Between:

K. Panchal Reddy, S/o. Ramachandra Reddy,
(IL 24 Licensee), Resident of Somasila, Ananthasagaram Mandal,
Nellore District.

.... PETITIONER

AND

1 The State of Andhra Pradesh, Rep by its Secretary,
Revenue (Excise-II) Department, Secretariat, Hyderabad.
2 The Commissioner, Prohibition & Excise, Hyderabad.
3 The Superintendent of Excise, Nellore, Nellore District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue an appropriaste writ, order or direction, more particularly one in the nature of Mandamus, declaring G.O.Ms.No. 184, dated 7-2-2005, as arbitrary, illegal, violative of Article 14 and 19(1)(g) of the Constitution of India and consequently setaside the same and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

COUNSEL FOR THE PETITIONER: MR.T.LAKSHMI NARAYANA

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2811 of 2005

Between:

1 A. Venkateswara Rao S/o. Krishna Murhty
R/o. D.No. 5-86, Bandar Road, Gandigunta, Vuyyuru, Krishna District.
2 Kollipara Dhakshina Murhty S/o. Subba Rao
R/o. Vuyyuru, Shivalayamveedhi, Kolasani Brothers, Krishna District.

.... PETITIONERS

AND

1 The State of Andhra Pradesh, Rep. by its Secretary,
Revenue (Excise-II) Department, Secretariat, Hyderabad.
2 The Commissioner, Prohibition & Excise, Hyderabad.

3 The Superintendent of Excise, Krishna at Machilipatnam.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction, more particularly one in the nature of writ of Mandamus, declaring G.O.Ms. No.184, dt. 7-2-2005, as arbitrary, illegal, violative of Article 14 and 19(1)(g) of the Constitution of India and consequently set aside the same and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

COUNSEL FOR THE PETITIONERS: MR.VENKATA RANGADAS KANURI

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2814 of 2005

Between:

G.Satyanarayana Murthy S/o Manikyala Rao
Gokavaram Village & Mandal, East Godavari District.

..... PETITIONER

AND

1 The Government of Andhra Pradesh Reptd., by its Special Chief Secretary

to Govt., Revenue (Excise.II) Department , Secretariat Building , Hyderabad.
2 The Commissioner of Prohibition and Excise, Andhra Pradesh, Hyderabad.
3 The Prohibiton and Excise Superintendent, East Godavari District, Kakinada.
4 The District Collector, East Godavari District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ, order or direction more in the nature of writ of Mandamus Declaring the G.O.Ms.No.184, dt. 07/02/2005 and the consequential Notification Published in East Godavari District Gazette Extraordinary No.34 dt. 11/02/2005 as illegal, arbitary, discriminatary and contrary to rules and to set aside the them and consequentially to direct the respondent No.3 to consider the case of the petitioner for renewal of IL 24 and IL 24B Licenses for the year 2005-2006 and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

COUNSEL FOR THE PETITIONERS: MR.M.SUDHIR KUMAR

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2815 of 2005

Between:

1 R. Sekhar Reddy, S/o. Venkata Ramana Reddy, Hindu,
Sai Wines, Kalikiri Chittoor District (Licence No. 385/1998-99)

2 C. Sudheer Reddy, S/o. Ravinder Reddy, Hindu,
Valmikipuram, Chittoor District. (Licence No. 2/98-99)
3 V. Mohan Reddy, S/o. Subba Reddy,
S.S. Wines, Nimmanapalli, Chittoor District, (Licence No. 181/1998-99)
4 B. Obul Reddy, S/o. B. Rama Chandra Reddy, Hindu,
Sai Krishna Wines, Kaligiri, Chittoor District, (Licence No. 14/2002-03)
5 C. Dwarakanatha Reddy, S/o C. Bommil Reddy, Hindu,
Sai Ram Wines, Chinthaparthi, Chittoor District (Licence No. 108/98-99)
6 S. Muneppa, S/o. Ramaiah, Hindu, Sri Venkateswara Wines, Chowdepalli,

Chittoor District (Licence No. 359/9 99)
7 S. Reddi Prakash, S/o. Muneppa Hindu,
Sri Venkateswara Wines Punganur, Chittoor District (Licence No. 358/98-99)
8 T. Ramanujulu, S/o. Subbarayulu, Hindu,
Vijayalakshmi Wines, Kalikiri, Chittoor District (Licence No. 291/98-99)
9 K. Reddeppa Naidu, S/o. Chinnappa Naidu, Hindu,
Vinayaka Wines, Kalakada, Chittoor District (Licence No. 107/98-99)
10 C.R. Raja Reddy, S/o. Papi Reddy, Hindu,
Raja Wines, Punganur, Chittoor District (Licence No. 50/2002-2003)

... PETITIONERS

AND

1 The Government of A.P. Revenue (Excise-II) Department, Secretariat,

Hyderabad, rep by its Special Chief Secretary to Government
2 The Commissioner, Prohibition and Excise Hyderabad.
3 The Prohibition and Excise Superintendent, Chittoor District.
4 The District Collector, Chittoor District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a writ order or direction more one in the nature of Writ of Mandamus or any other appropriate writ or direction declaring G.O.Ms.No. 184 dt. 7-2-2005 is illegal, arbitrary and discriminatory and set aside the consequential Notification No. 18/2005 issued by the 3rd respondent dt. 11-2-2005.

COUNSEL FOR THE PETITIONERS: MR.R.RAMACHANDRA REDDY

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2823 of 2005

Between:

1 M/s. Madras Wines, Karimnagar, Rep. by N. Azith Rao, S/o. Mahender Rao,

Aged about 35 Years, Occ: Business, R/o. Vavilalapally, Karimnagar Dist.

2 M/s. Sri Rama Wines, Teegalaguttapally, Karimnagar, REp. by J. Ranga Rao,

S/o. Hanmantha Rao, Aged about 45 Years, Occ: Business,

R/o. Teegalaguttapally, Karimnagar District.

3 M/s. Sindu Wines, Karimnagar, Rep. by its Licence Holder,
G. Goutham Reddy, Anja Reddy, 47 Years, Occ: Business,

R/o. Bommakal, Karimnagar.

4 Mohan Wines, Karimnagar, Rep. by its Licence Holder, P. MOhan,

S/o. LIngaiah, aged 46 Years, Occ: Business, R/o. Tilak Road, Karimnagar.

5 M/s. Venkateswara Wines, Karimnagar, Rep. by its Licence Holder,
V. Thirumal Rao, S/o. Rajeswararao, 45 Years, Occ: Business,
R/o. Vidyanagar, Karimnagar.

6 M/s. S.S. Wines, Karimnagar, Rep. by its Licence Holder,
J. Muralidhar Rao, S/o. Narsinga Rao, 60 Years, Occ: Business,
R/o. Karkannagadda, Karimnagar.

7 M/s. S.R.R. Wines, Rekurthi, Rep. by its Licence Holder,
Padma Rajesham, S/o. lylaiah, Age 40 Years, Occ: Business
R/o. Seetharampur, Karimnagar.

8 M/s. Anil Brandy Shop, Karimnagar, Rep. by its Licence Holder,
A. Srinivas, S/o. Rajaiah, Age 37 Years, Occ: Business
R/o. Ramnagar, Karimnagar.

9 Sandeep Wines, Karimnagar, Rep. by its Licence Holder,
P. Satyanarayana, S/o. Lingaiah, Age 33 Years, Occ: Business
R/o. Manakamma Thota, Karimnagar.

10 M/s. Jaisai Wines, Karimnagar, Rep. by its Licence Holder,
Sairi Ashok, S/o. Venkataiah, Age 32 Years, Occ: Business
R/o. Laxminagar, Godavarikhani, Karimnagar.

11 M/s. sai Wines, Karimnagar, Rep. by its Licence Holder,
M. Rajeshsam, S/o. Gatturai, Age 32 Years, Occ: Business
R/o. Khammampally, Karimnagar.

12 M/s. Anjani Wines, Karimnagar, Rep. by its Licence Holder,
Pallerla Yellaiah, S/o. Odaiah, Age 65 Years, Occ: Business
R/o. Ramnagar, Karimnagar.

13 M/s. Kalpana Wines, Karimnagar, Rep. by its Licence Holder,
N. Surendar Rao, S/o. Gopal Rao, Age 40 Years, Occ: Business
R/o. Karimnagar, Karimnagar.

14 M/s. Ratna Wines, Karimnagar, Rep. by its Licence Holder,
T. Papaiah, S/o. Mogilaiah, Age 43 Years, Occ: Business
R/o. Karimnagar, Karimnagar.

15 M/s. Deva Wines, Bejjenki, Rep. by its Licence Holder,
D. Satish REddy, S/o. Purushotham Reddy, Age 29 Years, Occ: Business
R/o. Gattuddenapally, Karimnagar.

16 M/s. Sai Wines, Keshavapatnam, Rep. by its Licence Holder,
V. Venkateswarlu, S/o. Chandraiah, Age 36 Years, Occ: Business
R/o. Kesavapatnam, Karimnagar.

17 Venkat Sai Wines, Keshava Patnam, Rep. by its Licence Holder,
B. Venkatesham, S/o. L. MOndaiah, Age 39 Years, Occ: Business
R/o. Kesavapatnam, Karimnagar.

18 Durga Wines, Molangur, Rep. by its Licence Holder,

Gajula Srinivas, S/op. Parusaramulu, Age 30 Years, Occ: Business
R/o. Molangur Village, Karimnagar.

19 M/s. Srinivas Wines, Gareepalli, Rep. by its Licence Holder,
P. Srinivasa Rao, S/o. Ramachandrarao, Age 32 Years, Occ: Business
R/o. Nasturpalli, Karimnagar.

..... PETITIONERS

AND

1 The Special Chief Secretary, Revenue (Excise-II) Department,
Government of Andhra pradesh, Secretariat, Hyderabad.
2 The Commissioner of /Prohibition and Excise,

Government of Andhra Pradesh, Hyderabad.
3 Deputy Commissioner Prohibition and Excise, Karimnagar.
4 The Excise Superintendent, Prohibition and Excise, Karimnagar.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or direction more particularly one in the nature of Writ of Mandamus declaring G.O.Ms.No.184, dt. 7-02-2005 issued by the Government of Andhra Pradesh, Revenue (Excise-II) Department as unconstitutional illegal and arbitrary and consequently set aside the same and direct the respondents to consider renewal of the existing licenses in accordance with law and to pass such other order or orders

COUNSEL FOR THE PETITIONERS: MR.P.GIRI KRISHNA

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2824 of 2005

Between:

1 K. Nagabhushana Rao, S/o. Subba Rao, M/s.Talli Wines, Veeravalli
Bapulapadu Mandal, Krishna District. Licence No. 296/98-99.
2 GOLLA VENKAT ARAO, S/O. VEERA RAGHAVULU, M/s.Talli Wines, Kannmole village Bapulapadu Mandal, Krishna District. Licence No. 706/98-99.
3 Mulpuri Venkatratnam, S/o. Ramaiah, Krishna District Licence No. 302/98-99, Sri Sai Wines, Arugolanu.
4 K. Vasudeva Rao, S/o. Venkateswara Rao, M/s.Deluxe Wines,
Appanaveedu Village, Pedapadu Mandal, W.G.District.
Licence No. 284/98-99.
5 Medikonda Srinivasa Rao, S/o. Nagabhushanam, M/s.Sriram Wines.
Kavvagunta, Pedavegi Mandal, W.G.District, Licence No. 655/98-99.
Licence No. 284/98-99.

... PETITIONERS

AND

1 The Government of A.P., revenue (Excise.II) Dept., Secretariat, Hyderabad.
rep. by its Special Chief Secretary to Government.
2 The Commissioner, Pro & Excise, Hyderabad.
3 The Proh & Excise Superintendent, Krishna District at Machilipatnam.
4 The Proh and Excise Superintendent, W.G.District at Eluru.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ of Mandamus or any other appropriate writ or direction declaring the G.O.Ms.NO. 184 dated 7-2-2005 as illegal and arbitrary and consequently direct the respondents not to issue licences in favour of third parties pursuant to the GO.Ms.No. 184 dt. 7.2.2005 and pass such other or further orders as this Hon'ble Court feels deem fit and proper in the circumstances of the case.

COUNSEL FOR THE PETITIONERS: MRS.G.JHANSI

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2828 of 2005

Between:

1 M/s. Sri Venkata Syamala Wines, Lokumudi Manukonda Syamala Rao,
R/o. Lokumudi Village, Mandavalli Mandal, Krishna District.
2 M/s. Pallavi Wines, Tamara Kollur, Sri Konala Bhaskar Reddy,
S/o. Nagi Reddy, R/o. Kaikalur Village & Mandal,
Krishna district.

... PETITIONERS

AND

1 The Spl. Chief Secretary, Revenue (Excise-II) Dept., Govt of A.P.,

Secretariat Blds, Hyderabad.
2 The Commissioner Proh & Excise, Govt of A.P., Hyderabad.
3 Deputy Commissioner, Proh & Excise, Kakinada.
4 The Excise Superintendent Proh & Exice, Krishna At Machilipatnam.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a Writ, order or direction more particularly one in the nature of writ of Mandmaus declaring G.O.Ms.No. 184 dt. 7.02.2005 issued by the Govt of A.P., Revenue (Excise-II) Dept as unconstitutional illegal and arbitrary and consequently set aside the same and direct the respondents to consider renewal of the existing licencees in accordance with law, and pass such other order or orders.

COUNSEL FOR THE PETITIONERS: MR.P.SRI RAGHU RAM

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

-

WRIT PETITION NO : 2840 of 2005

Between:

1 SRI LAKSHMI WINES, Kollur, Rep. by its Ch. Subba Rao,
S/o. Kottaiah, R/o. Chennuru, Khammam district.
2 VENKATESWARA BRANDY SHOP, Kollur, Rep. by

Mahender Reddy, S/o. Lakshman Reddy, R/o. Narayanpuram,

Khammam district.
3 TIRUMLA WINES, Shatupally, Rep. by its R. Sudhakar Rao,

S/o. Satyanarayana, R/o. Khammam district.
4 SRI VENKATESWARA WINES, Shatupally, Rep. by its Ch. Chinna Rao,
S/o. Subba Rao, R/o. Chennuru, Khammam district.

... PETITIONERS

AND

1 The State of Andhra Pradesh, Rep. by its Secretary,
Revenue (Excise-II) Department, Secretariat, Hyderabad.
2 The Commissioenr, Prohibition & Excise, Government of Andhra Pradesh,

MJ Road, Hyderabad.
3 The Superintendent of Excise, Khammam, Khammam District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, order or direction, more particularly one in the natureof Writ of Mandamus, declaring G.O.Ms.No. 184, Revenue (Excise-II) Department, dated 07-02-2005, as arbitrary, illegal, violative of Article 14, 21 and 300-A of Constitution of India and consequently set aside the same and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

COUNSEL FOR THE PETITIONERS: MR.LINGESWARA RAO PANDRANKI

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2841 of 2005

Between:

1 M/s Sai Wines, Rep.by T.Srinivasa Goud, S/o Yellaiah
R/o Maqdumpoor, Karimnagar,
2 M/s Sri Abshek Wines, Godavari Khani Medipalli, Karimnagar
Rep.by M.Ravinder Rao S/o Agam Rao Aged 45 years, Occp;

Occp; Business, R/o Medipalli, Karimnagar.
3 M/s Surya Wines, Godavarikhani rep.by its Licence holder
K.Bal Raj, S/o Sivalingam, 47 years, Occ: Business, R/o Srinagar Colony,
Godavarkhani, Karimnagar
4 M/s Anu Wines, Godavarikhani Rep.by its Licence holder
M.Sudhakar Rao, S/o Gopal Rao Occ:Business, R/o Godavarikhani
5 M/s Sairam Wines, Godavarikhani rep.by its Licence holder
L.Venugopal Rao, S/o Apparao 45 years, Occ: Business,
R/o Addguntapalli, Godavarikhani
6 M/s Ramanjaneyam Wines Corner, Godavarikhani rep.by its Licence holder
D.Ramulu, S/o Vodelu, 40 yeras, occ:Business, R/o Godavarikhani
7 M/s Sai Eswar Wines, Godavarikhani Rep.by its Licence holder
P.Laxminarayana S/o Yellaiah, Age 40 years, Occ: Business,
R/o L.B.Nagar, Godavarikhani, Karimnagar
8 M/s New Balaji Wines, Godavarikhani, Rep.by its Licence holder
M.Kamalakar Rao, S/o Satyanarayana Rao, 37 years, Occ:Business,
R/o Ganga Nagar, Godavarikhani
9 M/s Annapurna Wines, Godavarikhani, Rep.by its Licence holder
A.Ravinder Rao, S/o Rama Rao 33 years, Occ:Business,
R/o Godavarikhani, Karimnagar Dist.
10 M/s Hanuman Wines, Basanthnagar rep.by its Licence holder
M.Hanumanthu, S/o Linga Goud. 32 years, Occ:Business,
R/o Godavarikhani.
11 M/s Sai Wines Corner, Godavarikhani rep.by its Licence holder
V.Narsinga Rao, S/o Jaggarao 65 years, Occ:Business,
R/o Laxminagar, Ramagundam Mandal Godavarikhani, Karimnagar.
12 M/s Sai Balaji Wines Corner, Godavarikhani rep.by its Licence holder
V.Narsinga Rao, s/o Jaggarao 65 years, Occ:Business,
R/o Laxminagar, Ramagundam Mandal Godavarikhani, Karimnagar
13 M/s New Lucky Wines, Godavarikhani rep.byits Licence holder
K.Srinivas, S/o Sivalingam 40 years, Occ:Business,
R/o Laxminagar, Godavarikhani Karimnagr Dist.
14 M/s Sai Raksha Wines Centre, Medpalli, rep.by its Licence holder
M.Ramachandar Goud, S/o Rama Goud, 43 years, Occ:Business,
R/o Ganeshnagar, Jyothinagar, Karimnagar.
15 Saikrupa Wines, Kannal rep.by its Licence holder
Sankar Goud, S/o Yella Goud, 29 years, Occ:Business,
R/o NTPC, Karimnagar, Karimnagar Dist.
16 M/s Thirumala Wines, Godavarikhani, Rep.by its Licence holder
A.Prabhakar Reddy, S/o Laxma Reddy, 36 years, Occ:Business,
R/o Godavarikhani, Karimnagar District.

... PETITIONERS

AND

1 The Special Chief Secretary Revenue(Excise.II) Department,
Government of Andhra Pradesh, Secretariat, Hyderabad.
2 The Commissioner of Prohibition & Excise,

Government of Andhra Pradesh, Hyderabad.
3 Deputy Commissioner, Prohibition & Excise, Karimnagar
4 The Excise Superintendent, Prohibition & Excise, Karimnagar

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ or direction more particularly one in the nature of Writ of Mandamus declaring G.O.Ms.No.184 dt. 07/02/2005 issued by the Government of Andhra Pradesh, Revenue (Excise-II) Department as unconstitutional illegal and arbitrary and consequently set aside the same and direct the respondents to consider renewal of the existing licenses in accordance with law and to pass such other order orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

COUNSEL FOR THE PETITIONERS: MR.P.GIRI KRISHNA

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2852 of 2005

Between:

1 M/s Sri Vijaya Wines, Pallam Kurru, rep. by its Proprietor

M. Vijaya Rama Raju, S/o Suryanarayana Raju, aged 40 years, R/o Pallam

Kurru,Katrenikona Mandal, East Godavari District.
2 M/s Sri Krishna Wines, Mummidivaram, rep. by its Proprietor

M. Suryanarayana Raju, S/o Suryanarayana Raju, aged 60 years,

R/o Mummidivaram, East Godavari District.

... PETITIONERS

AND

1 Government of Andhra Pradesh, rep. by Special Chief Secretary,
Revenue (Excise-II) Department, Secretariat, Hyderabad.
2 Commissioner of Prohibition & Excise, Government of Andhra Pradesh,Hyd.
3 Deputy Commissioner of Prohibition and Excise,

Kakinada Division at Kakinada, East Godavari District.
4 Superintendent of Prohibition and Excise, East Godavari District at Kakinada.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate writ declaring that the action of the 1st respondent contained in

G.O.Ms.No. 184, Revenue (Excise-II) Department dated 7-2-2005 purporting to avoid renewal of the existing IL-24 Licenses and Proceeding to issue fresh licenses for all the 7500 IL-24 shops in the State, is arbitrary, discriminatory and illegal and consequently direct the respondents to continue to renew the IL-24 licenses of the petitioners for the Excise Year 2005-06 onwards and grant such other relief as it deems fit in the circumstances of the case.

COUNSEL FOR THE PETITIONERS: MR.P.VENKATA RAMANA COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2855 of 2005

Between:

1 Madhapur Wines Spot HItech City Road, Serilingampally Municipality,

Ranga Reddy District, rep. by its Partner Sri Konda Sridhar.
2 Jubilee Wines Spot, Plot No. 1270, Road No. 36, Jubilee Hills, Hyderabad,
rep. by its Proprietor Mr. K. Lakshmi Manohar Rao.
3 Shiva Wines, 7-1-621/92, (32/3RT) S.R. Nagar, Hyderabad,
rep. by Mr. C.P. Rajesh Babu.
4 Durga Wines, 8-3-299, Yousufguda, rep. by.P. Bharat Bushan.
5 Sri Bhavani Wines, 8-3-231/250/C/A/1, Venkatagiri, Yousufguda, Hyderabad,
rep. by Mr. G. Rajamouli.
6 Sri Aditya Wines, 8-2-293/DBN/J-153, Durgabainagar, Filmnagar, Hyderabad,
rep. by Mr. A. Bhaskar Goud.
7 Sri Ganga Wines, 8-3-169/60/94, Indranagar, Phase II,
Shivamma Papi Reddy Hills, Yousufguda, Hyderabad,
rep. by Sri Ajay Goud.
8 Sri Jyothi Wines, 8-3-231/W/41, Jubilee Hills, Hyderabad,
rep. by Smt. P.Jyothi.
9 Sri Sai Rao Wines, 15/3 RT, Sanjeevareddynagar Colony, Hyderabad,
rep. by Mr.Ranjit Rao.
10 Surya Wines, Indradhanush, 104, Mega City Road,
Road No.2, Banjara Hills, Hyderabad, Rep. by Mr. K.S.N. Raju.
11 Madhura Wines, 8-3-224/3/6/G2, Madhuranagar, Yousufguda, Hyderabad,
rep. by Sri V.Narender.
12 Sri Sai Wines, 8-4-392/2/1`, Yerragadda, Hyderabad,
rep. by Mr Kamal Prasad Agarwal.
13 U. Like Wines, 8-3-222/C/1/12, Madhuranagar Colony,
Near Saradhi Studio ,Ameerpet, Hyderabad, Rep. by Mr. B. Satish Reddy.
14 Sai Krishna Wines, 7-1-396/B/2, Balkampet, Hyderabad,
rep. by Mr.P. Chandra Shekaraiah.
15 Maheswari Wines, 8-3-228/716, Rahmathnagar, Yousufguda, Hyderabad,
rep. by Mr. P. Chander Goud.
16 Sri Venkateshwara Wines, 8-4-370/613, Raj Nagar, Borabanda, Hyderabad,
rep. by Mr. S. Ananthaiah Goud.
17 Priyanka Wines, Krishnanagar,Indranagar,Jubilee Hills, Hyderabad,
rep. by P. Narsing Rao.
18 Sai Wines, Krishna Nagar,Indranagar, Jubilee Hills, Hyderabad,
rep. by G. Sudarshan.
19 Sri Peddamma Wines, Road No.12, Banjara Hills, Hyderabad,
rep. by Mr. R. Dhanraj.
20 No.1 Wines, Borabanda, Hyderabad, Rep. by Mr. A. Babu Rao.

21 Babu Beer and Wines, Vengalraonagar, Hyderabad,

rep. by Mr. B. Edukondalu.
22 Sri Ganesh Wines, Near Sami Theatre, Sanathnagar, Hyderabad,
rep. by Mr. K. Sanjeeva Reddy.
23 Sri Sai Ganesh Wines, Near Sanathnagar Bus Stop, Hyderabad,
rep. by Mr. K. Gopal Reddy.
24 Mallick Wines, 6-3-864/C/4, Greenlands, Ameerpet, Hyderabad,
rep. by Mr. V. Bhaskar.
25 Parameswari Wines, 8-4-370/137, Rajnagar, Borabanda, Hyderabad,
rep. Mr. K. Sudhakar Reddy.

26 Padmavathy Wines, Balkampet, Ameerpet, Hyderabad,
rep. Mr.A. Venugopal,
27 Sri Gowri Shankar Wines, 8-2-293/2-1, Sri Venkateswara nagar, Road No.14,
Banjara Hills, Hyderabad, Rep. by its S. Santosh Kumar.
28 Bhavani Wines, Goshamahal, Hyderabad, Rep. by Mr.K. Dayanand.

... PETITIONERS

AND

1 The State of Andhra Pradesh, rep. by its Secretary,

Revenue (Excise-II) Department, Secretariat, Hyderabad.
2 The Commissioner, Prohibition and Excise, Hyderabad.
3 The Superintendent of Prohibition & Excise, Hyderabad.
4 The Superintendent of Prohibition & Excise, Rangareddy District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of mandamus declaring the G.O.Ms.No. 184, dated 7-2-2005 as arbitrary, illegal, violative of Article 14, 21 and 300A of Constitution of India and consequently set aside the same and be pleased to pass such other order or orders as this Honourable Court deems fit and proper in the circumstances of the case.

COUNSEL FOR THE PETITIONERS: MR.R.RAGHUNANDAN

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

-

-

WRIT PETITION NO : 2857 of 2005

Between:

1 G. Satyanarayana, S/o. Subbaiaha,
R/o. P.V. Road, Srikalahasthi, Chittoor District.
2 V. Koteswara Rao, S/o. Subrahmanyam,
R/o. Jayarama Rao Street, Srikalahasthi, Chittoor District.
3 C. Sethu, S/o. Chandra Raju,
R/o. Bridge Road, Srikalahasthi, Chittoor District.
4 P. Narayana Reddy, S/o. Ramalinga Reddy,
R/o. P.V. Road, Srikalahasthi, Chittoor District.
5 S. Padmanabha Naidu, S/o. Venkata Swamy Naidu,
R/o. Old Madaras Bus Stand, Srikalahasthi, Chittoor District.
6 O.Giridhar,
R/o. Balaram Theatre Street, Srikalahasthi, Chittoor District.
7 G. Mastan Naidu, S/o. Veeraswamy Naidu,
R/o. Jayarama Street, Srikalahasthi, Chittoor District.
8 G. Ramakrishnam Naidu, S/o. Poli Naidu,
R/o. Near R.t. C. Bus Stand Srikalahasthi, Chittoor District.
9 S. Chencaiah Naidu, S/o. Yanadi Naidu,
R/o. Naidupeta Road, Bahadurpeta, Srikalahasthi, Chittoor District.
10 Y. Chenchu Krishna Reddy, S/o. Balarami Reddy,
R/o. Nehru Road, Srikalahasthi, Chittoor District.
11 G. Radhakrishnam Naidu, S/o. Pondaiah Naidu,
R/o. Thangellapalem Village, B.N. Kandriga Mandal, Chittoor District.
12 M. Bala Krishnam Naidu, S/o. Akkappa Naidu,
R/o. Chinna Singamala Village, Thottambedu Mandal, Chittoor District.
13 C. siddulu Naidu, S/o. Ragappa Naidu,
R/o. Ilaganur Village, Thottambedu Mandal, Chittoor District.
14 K. Sivaraja Naidu, S/o. Kalappa Naidu,
R/o. Allampeta Village, Yerpedu Mandal, Chittoor District.

... PETITIONERS

AND

1 The Government of Andhra Pradesh, Rep. by its Special Secretary,
Revenue (Excise-II) Department, Secretariat, Hyderabad.
2 The Commissioner for Prohibition and Excise,

Government of Andhra Pradesh, Hyderabad.
3 The Prohibition and Excise Superintendent, Chittoor district, Chittoor.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one int he nature of Writ of Mandamus declaring the impugned actionof the 1st respondent in issuing G.O.Ms.No. 184 Revenue (Excise-II) Department, dated 7-2-2005 as highly illegal and arbitrary and consequently set set aside the same and direct the respondents to consider the renewal of IL-24 Licences of the petitioners and pass such other order or orders.

COUNSEL FOR THE PETITIONERS: MR.G.V.SHIVAJI

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2868 of 2005

Between:

1 M/s Chandra Wines-1, V. P. Agraharam Village, Tirupathi Rural Mandal, Chittoor District, Rep. by its Owner Sri Cherukula Chandravasu.
2 M/s Quality Wines, Thimmarajupalli Village, Nuthagunta Palli, Ramachandrapuram Mandal, Chittoor District Rep. by its Owner

Sri T. Venkata Reddy.
3 M/s Chandra Wines - II, Avilala village, Tirupathi Rural Mandal, Chittoor District, Rep. by its owner Sri Cherukula Janardhan Rao.

... PETITIONERS

AND

1 The State of Andhra Pradesh, Rep. by its Secretary,

Revenue (Excise-II) Department, Secretariat, Hyderabad.
2 The Commissioner, Prohibition and Excise, Hyderabad.
3 The Superintendent of Excise, Chittoor District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction, more particularly one in the nature of "Writ of Mandamus" declaring G.O.Ms.No. 184, dt. 7-2-2005 as arbitrary, illegal, violative of Article 14, 21 and 300-A of Constitution of India and consequently set aside the same and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

COUNSEL FOR THE PETITIONER: Mr.M.Kondal Rao

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

-

WRIT PETITION NO : 2886 of 2005

Between:

1 M/s Sri Balaji Wines, Kumaram, Sri Palli Appalanaidu S/o Suryanarayana, Jagarama Village, Jami Mandal, Vizianagaram District.
2 M/s Sri Yellamamba Wines, Jami, Sri Allu Apparao s/o Ramanaidu, Jami Village & Mandal, Vizianagaram District.
3 M/s Divya Sai Wines, Kothavalasa, Sri Chukka Bala Bhaskar

S/o Satyanarayana, Kothavalasa Village & Mandal Vizianagaram District.
4 M/s Sri Satya Sai Wines, Thandrangi, Sri Kommineni Bangaru Naidu

S/o Simhachalam, Thandrangi Village , Vizianagaram District.
5 M/s Sai Lakshmi Narayana Wines, Alamanda, Sri Jureedi Venkataramana

S/o Demudu, Jami Mandal, Vizianagaram District.

... PETITIONERS

AND

1 The Special Chief Secretary, Revenue (Excise-II) Department,
Government of Andhra Pradesh, Secretariat Buildings, Hyderabad.
2 The Commissioner, Prohibition and Excise,
Government of Andhra Pradesh, Hyderabad.
3 The Excise Superintendent, Prohibition and Excise,
Vizianagaram.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ , Order or Direction more particularly one in the nature of Writ of Mandamus declaring G.O.Ms.No. 184, dated 7-2-2005 issued by the Government of Andhra Pradesh, Revenue (Excise-II) Department as unconstitutional illegal and consequentially set aside the same and direct the respondents to consider renewal of the existing licencees in accordance with law, and pass such other order or orders as are deemed fit and proper in the circumstances of the case.

COUNSEL FOR THE PETITIONERS: MR.VENKATESWARA RAO GUDAPATI
COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2890 of 2005

Between:

1 M/s. Srinivasa Wines, Karimnagar, Rep by B. Bhagavan Rao,

S/o. Pulla Rao, R/o. Karimnagar.
2 M/s. Maruthi Wines, Karimnagar, Rep by M. Satyanarayana Rao,

S/o. Narayana Rao, R/o. Karimnagar.
3 M/s. Bhavani Wines, Godavari Khani, Rep by P. Balagopal Rao,

S/o. Vasudeva Rao, R/o. Karimnagar.
4 Sri Renuka Wines, Kannapur, Rep by Gopagoni Satish Goud,

S/o. Kista Goud, R/o. Karimnagar.
5 M/s. Maruthi Wines, Metpally, Rep by B. Swami Goud, S/o. Raja Goud,
R/o. Karimnagar.
6 M/s Molangur Wines, Molangur, Rep by K. Madhukar Reddy,

S/o. Yella Reddy, R/o. Karimnagar.
7 M/s. Om Satnam Wines, Godavarikhani, rep by V. Shivanandham,

S/o. Ramulu, R/o. Uydayangar, Godavarikhani.

... PETITIONERS

AND

1 The Special Chief Secretary, Revenue (Excise-II) Department,
Government of Andhra Pradesh, Secretariat, Hyderabad.
2 The Commissioner of Prohibition & Excise,

Government of Andhra Pradesh, Hyderabad.
3 Deputy Commissioner, Prohibition & Excise, Karimnagar.
4 The Excise Superintendent, Prohibition & Excise, Karimnagar.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a writ or direction more particularly one in the nature of Writ of Mandamus declaring more particularly one in the nature of Writ of Mandamus declaring G.O.Ms.No. 184, dt. 7-02-2004 issued by the Government of Andhra Pradesh, Revenue (Excise-II) Department as unconstitutional illegal and arbitrary and consequently set aside the same and direct the respondents to consider renewal of the existing licenses in accordance with law and to pass such other order orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

COUNSEL FOR THE PETITIONERS: MR.P.GIRI KRISHNA

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

-

WRIT PETITION NO : 2893 of 2005

Between:

1 M/s Ramakrishna Wines, rep. by itsk Prop. Sri P.S. Reddy S/o Venkatreddy,
D.No. 10-179, Main Road, Yeleswaram, East Godavari District.
2 M/s Srihari Wines, Rep. by its Prop. Sri Korada Venkatarao S/o Thammayya,
D.No. 19-128, Yeleswaram, East Godavari District.
3 M.s Sri Hari Wines, rep. by its Prop Sri J.R. Lingeswararao S/o Adinarayana,
D.No. 1-51/2, Addateegala (V) & (M), East Godavari District.
4 M/s Rama Lakshmi Wines, rep. by its Prop Sri Kotla Bhaskara Rao

s/o Surya Narayana
D.No. 5-120, Rajavommangi (V) & (M), East Godavari District.
5 M/s Sri Hari Wines, Rep. by its Prop.Sri Kotla Krishna S/o Tatabbai,
D.No. 5-13, Yeleswaram (V), Yeleswaram (M), East Godavari District.

... PETITIONERS

AND

1 The Special Chief Secretary, Revenue (Excise-II)Department,

Government of Andhra Pradesh, Secretariat, Hyderabad.
2 The Commissioner, Prohibition & Excise,
Government of Andhra Pradesh, Hyderabad.
3 Deputy Commissioner, Prohibition & Excise, Kakinada.
4 The Excise Superintendent, Prohibition & Excise, Kakinada.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue appropriate Writ or Order or Direction more particularly one in the nature of Writ of Mandamus declaring G.O.Ms.No. 184, dated 7-2-2005 issued by the Government of Andhra Pradesh, Revenue (Excise-II) Department as unconstitutional illegal and consequently set aside the same and direct the respondent to consider renewal of the existing licencees in accordance with law, and pass such other order or orders as are deemed fit and proper in the circumstances of the case.

COUNSEL FOR THE PETITIONERS: MR.K.VENKATESH

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

-

WRIT PETITION NO : 2904 of 2005

Between:

1 Ch. Madhusudhana Rao, S/o Nagaiah,
R/o Peddireddypalli, Nellore District, Licensee of M/s Madhu Wines.
2 S. Srinivasulu Reddy, S/o Venugopala Reddy,
R/o Naidupeta, Nellore District, Licensee of M/s Kavitha Wines.
3 K. Subba Rao, S/o Venkata Subbaiah,
R/o Golagamudi Village, Venkatachalam Mandal, Nellore District.

Licensee of M/s Vijayalakshmi Wines.
4 M. Umamaheswar Rao, s/o Kotaiah,
R/o 15/701, James Garden, Nellore District,

Licensee of M/s Padmavati Wines.
5 K. Prasad, s/o Ramaiah,
R/o Rabala Vari Street, Nellore , Licensee of M/s Sagar Wines.

... PETITIONERS

AND

1 The Special Chief Secretary, Revenue (Excise-II) Department,
Government of Andhra Pradesh, Secretariat Buildings, Hyderabad.
2 The Commissioner, Prohibition & Excise,
Government of Andhra Pradesh, Hyderabad.
3 The Excise Superintendent, Prohibition & Excise, Nellore.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of mandamus or any other appropriate writ or direction declaring the G.O.Ms.No. 184, dated 7-2-2005 as illegal and arbitrary and consequently direct the respondents not to issue licences in favour of third parties pursuant to the G.O.Ms.No. 184, dated 7-2-2005 and pass such other or further orders as this Hon'ble Court feels deem fit and proper in the circumstances of the case.

COUNSEL FOR THE PETITIONERS: MR.M.RAVINDRANATH REDDY

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

-

-

WRIT PETITION NO : 2906 of 2005

Between:

M/s.Sri Laxminarasimha Swamy Wines, lL-24, plot No.49, Bapujinagar Road, Srinivas Nagar Colony, Secunderabad rep.by its Licencee Mr.T.Suresh, S/o.Panduranga.

... PETITIONER

AND

1 The Proh.& Excise Superintendant Hyderabad District at Hyderabad.
2 The District Collector, Hyderabad District at Hyderabad.
3 The Commissioner of Proh&Excise, Govt. of A.P., at Hyderabad.
4 The Government of A.P., rep.by its Prl.Secretary,

Revenue (Excise-II) Department, Secretarait, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of Mandamus, or any other appropriate writ, order or direction, declaring GO.Ms.no.184 Revenue (Excise-II) Dept., Dt.07/02/2005 of the Resp.No.4 as illegal, arbitrary, unjust and set aside the same and grant stay of all further proceedings in pursuance of GO.Ms.No.184 Revenue (Excise-II) Dept., dt.7/2/2005 including selection of new licences and pass such other order or orders as may deem fit and proper in the circumstances of the case.

COUNSEL FOR THE PETITIONER: MR.T.AMARNATH GOUD

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2911 of 2005

Between:

1 M/s Balaji Wines, lL - 24, Nellikuduru, Warangal District,

rep by its Licencee Mr. K. Krishna
2 M/s Sri Balaji Wines, IL - 24, Thorrur, Warangal District,
rep by its Licencee Mr. A. Srinivas Rao
3 M/s. Mandakini Wines, IL-24, Sangam (V&M) Warangal District,
rep by its Licencee Mr. J. Bhagwantha Rao
4 M/s. Urvasi Wines, IL - 24 Nellikuduru, Warangal District.
rep by its Licencees 1) Mr. V. Srinivasa Raju,

ii) Mr. K. Laxmi Narsaiah, iii) Mr. T. Ajay Kumar

... PETITIONERS

AND

1 The Proh. & Excise Superintendent Warangal District Warangal
2 The District Collector, Warangal District at Warangal
3 The Commissioner of Proh. & Excise, Govt.of A.P., Hyderabad.
4 The Government of A.P., Rep by its Prl. Secretary,
Revenue (Excise-II) Department, Secretariat, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a Writ of Mandamus, or any other appropriate writ, order or direction, declaring GO.Ms.No. 184 Revenue (Excise-II) Department, Dt. 07/02/2005 of the Resp No. 4 as illegal, arbitrary, unjust and set aside the same and grant stay of all further proceedings in pursuance of GO.Ms.No. 184 Revenue (Excise-II) Department Dt. 07/02/2005 including selection of new licences and pass such other order or orders as may deem fit and proper in the circumstances of the case.

COUNSEL FOR THE PETITIONERS: MR.T.Amarnath GOUD

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 2919 of 2005

Between:

D. Narendra Babu, S/o Narasimhulu,
R/o Thondamanadu Village, Srikalahasti Mandal, Chittoor District.

... PETITIONER

AND

1 The Government of Andhra Pradesh, rep. by its Special Secretary,
Revenue (Excise-II) Department, Secretariat, Hyderabad.
2 The Commissioner for Prohibition and Excise,

Government of Andhra Pradesh, Hyderabad.
3 The Prohibition & Excise Superintendent, Chittoor District at Chittoor.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of mandamus declaring the impugned action of the 1st respondent in issuing G.O.Ms.No. 184 Revenue (Excise-II) Department, dated 7-2-2005 as highly illegal and arbitrary and consequently set aside the same and direct the respondents to consider the renewal of IL-24 licence of the petitioner and pass such other order or orders in the interest of justice.

COUNSEL FOR THE PETITIONERS: MR.G.V.SHIVAJI

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

-

WRIT PETITION NO : 2920 of 2005

Between:

1 M/s.Sri Venkateswara Wines, Shopee,

rep.by its Proprietor A.Venkatasubbaiah, S/o.Santaiah, 8/45,

Akula Street, Diguvapeta, Sidhout, (IL-24 Licence No.182)
2 M/s.Sai Krishna Wines, rep.by its Proprietor, J.Sivaiah, S/o.Obulesu,
Atlur Village & Mandal, Kapada District, (IL-24 Licence No.160)
3 M/s.Sri Varasiddi Vinyaka Wines, Chapadu Village and Mandal,

rep.by its Proprietor G.Chandraiah, S/o.Subbarayudu,
R/o.N.Ananthapur, Kadapa District. (IL-24 Licence No.512/ 03-04)
4 M/s.Peacock Wines rep.by its Proprietor, M.Subbarayadu, S/o.Veeranna,
Mydukur Road, Proddatur, Kadapa District (Licence No.266/2005-99)
5 M/s.Gayathri Wines rep.by its Proprietor, K.Krishna S/o.Veeranna,
Mydukur Road, Mudukur, Kadapa District.

... PETITIONERS

AND

1 The Special Chief Secretary, Revenue (Excise-II) Department,

Govt.of Andhra Pradesh, Secretariat Buildings, Hyderabad.
2 The Commissioner, Prohibition & Excise,

Govt.of Andhra pradesh, Hyderabad.
3 The Excise Superintendent Prohibition & Excise, Kadapa, Kadapa District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to

issue a writ of Mandamus or any other appropriate writ, order or direction declaring G.O.Ms.No.184, dated 7-2-2005 issued by the Government of Andhra pradesh, Revenue (Excise-II) Department as unconstitutional illegal and arbitrary and consequently set aside the same and direct the respondents to consider renewal of the existing licensees in accordance with law, and pass such other order or orders as this Hon'ble court may deem fit and proper in the circumstances of the case.

COUNSEL FOR THE PETITIONERS: MR.T.NAGARJUNA REDDY

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

-

WRIT PETITION NO : 2921 of 2005

Between:

1 M/s.Sri Srinivasa Wines, rep.by its Prop.V.Ramabhupala Reddy,

S/o.V.Narayana Reddy, Gadivemula Village & Mandal, Kurnool District,

(IL-24 Licence NO.281)

2 M/s.Sri Bhramaramba Wines, rep.by its Proprietor A.C.V.Chandra Reddy,

S/o.Pedda Veera Reddy, Eranapadu Village, Bandi Atmakur Mandal,
Kurnool District (Licence No.332/2002-03).

3 Sri Venkateswara Wines shop rep.by its Prop. R.Rajasekhara Reddy

S/o.Rama Krishna Reddy,
Bandi Atmakur Village & Mandal, Kurnool District. (Licence No.426)

4 Manasa Wines rep.by its Prop. A.V.Ngeswara Reddy, S/o.Balaveera Reddy,
Gosupadu Village & Mandal, Kurnool District. (Licence No.252)

5 Maruthi Wines rep.by its Prop. B.Bayyupu Reddy, S/o.Bali Reddy,
Yalluru Village, Gosupadu Mandal, Kurnool District. (Licence No.230).

6 Bharani Wines, rep.by its Prop. Y.Peddi Reddy, S/o.Swamy Reddy,
Zillella Village, Gosupadu Mandal, Zillella Village,
Gosupadu Mandal, Kurnool District. (Licence No.231)

... PETITIONERS

AND

1 The Special Chief Secretary, Revenue (Excise-II) Department,

Government of A.P., Secretariat Buildings, Hyderabad.

2 The Commissioner, Proh & Excise, Government of Andhra Pradesh,

Hyderabad.

3 The Excise Superintendent Prohibition & Excise, Kurnool District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of Mandamus or any other appropriate writ, order or direction declaring G.O.Ms.No.184, dated 7-2-2005 issued by the Government of Andhra Pradesh, Revenue (Excise-II) Department as unconstitutional illegal and arbitrary and consequently set aside the same and direct the respondents to consider renewal of the existing licensees in accordance with law, and pass such other order or orders as this Hon'ble court may deem fit and proper in the circumstances of the case.

COUNSEL FOR THE PETITIONERS: MR.T.NAGARJUNA REDDY

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

-

-

WRIT PETITION NO : 2943 of 2005

Between:

1 N. Sriramji, S/o N.V. Rao,
M/s Sri Laxmi Wines, D.No. 8-35, Kapileswarapuram,
East Godavari District.
2 Ch. Mutyala Jaya Rao, S/o Narasimha Rao,
M/s Amrutha Wines, D.No. 3-22. Angara, East Godavari District.
3 Ch. Srinivasa Rao, s/o Satyanarayana Murthy,
M/s Amrutha Wines, Door No. 1-140, K. Gangavaram,Pamarru Mandal,
East Godavari District.
4 T. Venkataratnam, S/o Satyanarayana,
M/s Srinivasa Wines, West Kandriga, Kapileswarapuram Mandal,
East Godavari District.

... PETITIONERS

AND

1 The Government of Andhra Pradesh,

Revenue (Excise-II) Department, Secretariat, Hyderabad.
2 The Commissioner , Prohibition and Excise, Hyderabad.
3 The Prohibition and Excise Superintendent, Kakinada, East Godavari District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction, more particularly one in the nature of Writ

of Mandamus, declaring the action of the 1st Respondent Government in issuing G.O.Ms.No. 991, Revenue (Excise.II) Departnment, dated 4/12/2004 and the consequential G.O.Ms.No. 184, Revenue (Excise-II) Department, dated 7-2-2005 as arbitrary, illegal, unjust, contrary to law, in violation of the fundamental rights guaranteed to the Petitioners herein under Articles 14, 19 and 21 of the Constitution of India and also having the effect of being contrary to the directive Principles of State Policy apart from being contrary to the provisions of the Andhra Pradesh Excise Act, 1968 and the A.P. Indian Liquor and Foreign Liquor Rules, 1970 and for consequential direction to the Respondents to consider the case the Petitioners herein for renewal of our IL 24-B Licences in accordance with law and pass such other order or orders as are deemed fit and proper in the circumstances of the case.

COUNSEL FOR THE PETITIONERS: MR.M.BRAHMA REDDY

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

-

WRIT PETITION NO : 3001 of 2005

Between:

1 P. Shiva Sankar Reddy, S/o. Miram Reddy,
D.No. 2/15, Nandalur Bus Stand, Nandalur, Kadapa District.
2 P. Mallikharjuna Reddy, S/o. Mlram Reddy,
D.No. 3/43, Aravapalli, Nandalur Mandal, Kadapa District.
3 P. Venkatapathi Naidu, S/o. Lakshmaiah Naidu,
D.No. 7/34, Vontimitta Village and Mandal, Kadapa District.
4 T. Subrahmanyam, S/o. Subbaiah,
New Boinapally, Rajampet Mandal, Kadapa District.
5 G. Venkata Rami Reddy, S/o. Kasi Reddy,
D.No. 1/34, pothapi, Nandalur Village and Mandal, kadapa District.

... PETITIONERS

AND

1 The Government of A.P., Revenue Excise-(II) Dept., Secretariat,
Hyderabad Rep. by its Special Chief Secretary.
2 The Commissioner of Prohibition & Excise, Govt of A.P., Hyderabad.
3 The Superintendent of Proh& Excise, Kadapa, Kadapa District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the G.O.Ms.No.184 Revenue (Excise-II) Department, dt. 07.02.2005 as illegal, unjust and arbitrary and consequently set aside the G.O.Ms.No.184 Revenue (Excise-II) Department dt. 07.02.2005 and the consequential notification issued by the 3rd respondent and pass such other order or orders.

COUNSEL FOR THE PETITIONERS: MR.L.J.VEERA REDDY

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

-

WRIT PETITION NO : 3002 of 2005

Between:

1 M/s. Nirmala Wines, Rep. by its Proprietor M.V. Ramana Reddy,
S/o. Bali Reddy Aged about 35 Years, Govindapalle Village, Sirivella Mandal,
KUrnool District. (Licence No. 137).
2 M/s.Rajadhani Wines, Rep. by its Proprietor S. Venkataramudu,S/o.Laxmanna

Aged about 38 Years, Myudukur, Kadapa District. (Licence No. 103).

... PETITIONERS

AND

1 The Special Chief Secretary, Revenue (Excise-II) Department,
Government of Andhra Pradesh, Secretariat Buildings, Hyderabad.
2 The Commissioner, Prohibition & Excise,

Government of Andhra Pradesh, Hyderabad.
3 The Excise Superintendent, Prohibiton & Excise, Kurnool, Kurnool District.
4 The Excise Superintendent, Prohibiton & Excise, Kadapa, Kadapa District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one int he nature of Writ of Mandamus

or any other appropriate Writ, Order or Direction declaring the G.O.Ms.No. 184 dated 7-2-2005 issued by the Government of Andhra Pradesh, Revenue (Excise-II) Department, as unconstitutional illegal and arbitrary and consequently set set aside the same and direct the respondents to consider the renewal of the existing licensees in accordance with law.

COUNSEL FOR THE PETITIONERS: MR.T.NAGARJUNA REDDY

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

-

WRIT PETITION NO : 3023 of 2005

Between:

1 M/s. Sri Vinayaka Wines, IL-24, Garividi Village, Chipurupalli (M), Vizianagaram District, Rep. by licensee S.V. Satyanarayana,

S/o. Bhaskara Rao, R/o. Garividi, Viziangaram District. Licensing

bearing No. 104/1998-99.

2 M/s. Venkateshwara Wines, IL-24, Garividi Village, Chipurupalli (M), Vizianagaram District, Rep. by licensee P.V.K. Raju,

S/o Appala Narasimha Raju, R/o. Garividi, Viziangaram District.

Licensing bearing No. 131

3 M/s. Polamamda Wines, IL-24, Garividi Village, Chipurupalli (M), Vizianagaram District, Rep. by licensee Pampana Chinna Rao, S/o. Raja Rao, R/o. Thagarapuvalasa, Visakhapatnam District. Licensing

bearing No. 14/2002-03.

4 M/s. Sri Durga Ganesh Wines, IL-24, Vedullavalasa,, Chipurupalli (M), Vizianagaram District, Rep. by licensee Suru Ramakrishna,

S/o. Late Neelakantam, R/o. Chipurupalli (V &?M), Viziangaram District.

Licensing bearing No 30/2002-03.

5 M/s. Nataraj Wines, IL-24, Garavidi (V &M),Vizianagaram District,

Rep. by licensee K. Krishna Raju, S/o. Narasimha Raju, R/o. Chipurupalli (V &?M), Viziangaram District. Licensing

bearing No 13/2002-03.

6 M/s. Sri Rajya Lakshmi Wines, IL-24, Garbham (V), Merakamudidham (M), Vizianagaram District, Rep. by licensee B. Appala Naidu Licensing bearing No. 208/98-99.

7 M/s. Sri Gayathri Wines, IL-24, Merakamudidham (V & M), Vizianagaram District, Rep. by licensee G. Simhadhri Raju Licensing bearing No. 128/98-99.

8 M/s. Sri Vinayaka Wines, IL-24, Garbham (V), Merakamudidham (M), Vizianagaram District, Rep. by licensee B.Sambamurthy Raju, Licensing bearing No. 10/2002-03

9 M/s. Sri Lakshmi Wines, IL-24, New Colony Puritpenta,

Rep. by licensee G. Srinivasa Rao, S/o. Shivarama Dikshitulu

R/o. N.H. 43 Road, New colony, Puritipenta,
Viziangaram District. Licensing bearing No.44/98-99

... PETITIONERS

AND

1 The Government of Andhra Pradesh, Revenue Department (Excise-II) secretariat, Hyderabad, Rep. by its Special Chief Secretary to Government.
2 The Commissioner of Prohibition and Excise,

Government of Andhra Pradesh, Nampalli, Hyderabad.
3 The District Collector, Vizianagaram, Vizianagaram District.
4 The Prohibition & Excise Supeintendent, Vizianagaram,

Vizianagaram District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one int he nature of Writ of Mandamus or any other appropriate Writ, Order or Direction declaring the G.O.Ms.No. 184 dated 7-2-2005 as illegal and arbitrary and consequently direct the respondents not to issue licences infavour of third parties pursuant to the G.O.Ms.No. 184 dated 7-2-2005 and pass such other orderor orders

COUNSEL FOR THE PETITIONERS: MR.TADDI NAGESWARA RAO

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 3034 of 2005

Between:

1 R. Harinath Goud, s/o Ramachandra Goud,
M/s Maruthi wines, Guntakal, Anantapur District
(Licence No. 60/2004-05)
2 N.Madhava Rao, S/o Rangaiah,
M/s Nagarjuna Wines, Guntakal, Anantapur District
(Licence No. 62/2004-05)
3 M.P.K. Basappa, M/s Saraswati Wines, Guntakal,

Anantapur District (Licence No. 383/2004-05)
4 Dasaratha Reddy, s/o Sankar Reddy,
M/s Nairuthi Wines, Guntakal, Anantapur District
(Licence No. 59/2004-05)
5 M. Govardhan, S/o Narayanappa,
M/s Bheemas Wines, Guntakal, Anantapur District
(Licence No. 48/2004-05)
6 Shiv Kumar, M/s Kumar Wines, Guntakal,

Anantapur District (Licence No. 64/2004-05)
7 K.Madhava, S/o Naganna, M/s Bhavani Wines, Guntakal, Anantapur District

(Licence No. 61/2004-05)

... PETITIONERS

AND

1 The Government of Andhra Pradesh, Revenue (Excise-II) Department, Secretariat, Hyderabad, Rep. by its Special Chief Secretary to Government.
2 The Commissioner ,Prohibition and Excise, Hyderabad.
3 The Prohibition and Excise Superintendent, Anantapur.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of mandamus or any other appropriate writ or direction declaring the G.O.Ms.No. 184 dated 7-2-2005 as illegal and arbitrary and consequently direct the respondents not to issue licences infavour of third parties pursuant to the G.O.Ms.No. 184 dated 7-2-2005 and pass such other or further orders as this Hon'ble Court feels deem fit and proper in the circumstances of the case.

COUNSEL FOR THE PETITIONERS: MR.VIJAYA BHASKAR MOOLA

COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

WRIT PETITION NO : 3038 of 2005

Between:

M/s. Sri Sai Wines, Narmetta Village, Warangal District.
Rep. by its Proprietor, J. Kamalakar Reddy, S/o. Ram Reddy,

... PETITIONER

AND

1 The Government of Andhra Pradesh, Rep. by its Secretary,

Revenue (Excise-II) Department, Secretariat, Hyderabad.
2 The Commissioner, Prohibiton & Excise, Hyderabad.
3 the Superintendent of Prohibition & Excise, Warangal District, at Warangal

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, more particularly one in the nature Writ of Mandamus declaring the G.O.Ms.No. 184 dt. 7-2-2005 as arbitrary, illegal, violative of Article 14, 21 of the constitutionof India and consequently set aside the same and pass such other order or orders.

COUNSEL FOR THE PETITIONERS: MR.SRINIVASA RAO BODDULURI
COUNSEL FOR RESPONDENTS: ADVOCATE GENERAL

THE HON'BLE MR. JUSTICE L. NARASIMHA REDDY

W.P.Nos.2749 of 2005 and batch

COMMON JUDGMENT:

In this batch of writ petitions, some of the existing licensees of IL-24 wine shops in the State of Andhra Pradesh, challenge the validity of the amendment to Rule 26-A of the A.P. Indian Liquor and Foreign Liquor Rules, 1970 (for short 'the Rules') through G.O.Ms.No.991, Revenue (Excise-II) Department, dated 04.12.2004, and the excise policy of the Government, enunciated in G.O.M.S.No.184, dated 07.02.2005, in

relation to IL-24 shops, for the excise year 2005-06. In some of the writ petitions, the validity of G.O.Ms.No.206, dated 10.02.2005, which brought about further amendments to the Rules, is challenged.

The background:

2. The manufacture, sale, transport and storage of intoxicants in the State of A.P. is governed by the provisions of A.P. Excise Act (for short 'the Act') and the Rules made thereunder. Apart from various regulatory measures, the Act provides for grant of different kinds of licences, in such matters. The Rules prescribe the procedure for grant of licences, to enable the licensees to undertake trade in different kinds of intoxicants. To the extent it is relevant to the present context, it would be sufficient to refer to three categories of licences. IL-17 is a licence, which is granted for establishing a bar, and to supply liquor therein. Licence, IL-24, is for retail sale of liquor, in sealed bottles. Consumption of liquor in the premises of such shops is not permitted. In the recent past, a new category of licence viz., IL-24(B), was provided for, to enable an IL-24 licensee to maintain a place known as 'permit room', where the customers can consume liquor purchased in that shop. The licences are granted or renewed for a period of one year, commencing from 1st April, of a year, and ending with 31st March, of the succeeding year.

3. Till the Excise year 1997-98, prohibition of intoxicants was in force in the State. From the Excise year 1998-99 onwards, the prohibition was relaxed and licences of various categories were being issued from time to time. Initially, grant of licences, particularly IL-24, was on the basis of applications. The shops were notified with reference to Districts and Mandals, and applications were invited. If the number of applications exceeded the number of notified shops, the licences were granted to the applicants, selected on the basis of drawal of lots. This procedure continued till the current excise year. Rule 26-A of the Rules, as it stood before
04-12-2004, provided for renewal of the existing licences, almost as a matter of

course. Sub-rule(2) thereof was to the effect that, in case the application for renewal is not considered before the expiry of the licence period, the licensee shall be entitled to carry on the business, till he is communicated the decision, either granting or refusing the renewal. Through G.O.Ms.No.991, dated 04.12.2004, the Government amended the Rule 26-A, renewal of licences was made discretionary, and to depend upon the policy. The various provisos and sub-Section (2) of the Rule were omitted altogether.

4. The Government issued G.O.Ms.No.184, dated 07.02.2005, declaring its policy for the excise year 2004-05 in relation to IL-24 licences. The policy is to the effect that, no existing licence shall be renewed, and 7,500 IL-24 shops (as against the existing 6,800 shops) will be licensed. The selection of licensees, out of the applicants, is to be in accordance with Rule 31 of the Rules, which provides for drawal of lots. G.O.Ms.No.185 of the same date, was issued, enunciating the policy for grant of IL-17 licences. It provides for renewal of existing licences and continuation of the policy for the previous year, almost in all respects. Hitherto, bar licence used to be granted in places with population of 45,000 and above, and in the belt areas of two kilometers from the periphery of such places. Under the new policy, it is permissible to grant bar licence for places with population 25,000 and above.

5 . Through G.O.Ms.No.206, the Government effected further amendments to the Rules. The amendments range from altering the definition of 'off-licence' in clause (3h), to addition of Rule 70, according finality to the opinion of the Commissioner in the matter of interpretation of the Rules. The concept of 'permit rooms' by issuing IL-24 (B) is retained, but the scope was expanded by providing for issuance of licences for places with population of 5,000/-, as against 10,000 under the earlier Rule. Rule 69 was substituted with a new provision. It entails the seizure of the quantity of liquor, that remains with the licensee, by the end of the Excise year, if he is not selected for the grant of licence for the succeeding year.

Pleadings:

6. Petitioners contend that the amendments to the Rules as well as the change in the policy, which results in automatic cancellation of existing licences, is illegal, arbitrary and without any basis. According to them, when the Government has chosen to renew the existing IL-17 licences and to increase the number of IL-24 shops, there is absolutely no justification in not renewing the IL-24 licences. They plead that blanket refusal of renewals in respect of a particular category of licences smacks of arbitrariness and the reasons stated in the policy do not provide any valid basis. In short, their plea is that there is no nexus between classification undertaken by the respondents and the object sought to be achieved, in the matter of refusal to renew the licences.

7. The respondents filed a common counter affidavit. The relevant provisions of the Act and Rules are referred to and the working of the system for the past several years is depicted. Statistics, as regards the number of IL-24 shops, notified from the Excise Years 1998-98 to 2004-05 as well as the number of licensees, who did not seek renewal of licences are furnished. The contention of the respondents is that a substantial section of the existing IL-24 licensees have formed into a cartel and are not coming forward for renewal of substantial number of shops, thereby causing serious loss to the revenue of the State. It is alleged that the new policy is aimed at breaking the cartel and to ensure transparency in the matter of grant of licences. It is emphasized that IL-17 licences stand on a different footing and form a separate class and that there cannot be any comparison with IL-24 licences, in this regard.

The Contentions:

8. Sri S.Ramchander Rao, learned Senior Counsel appearing for some of the petitioners, submits that except to do away with as many as 6,800 IL-24 licensees, G.O.Ms.No.184, does not enunciate any policy, worth its name. According to him, the term ‘cartel’ was utilized by the Government from time to time, only with a view to justify its actions, either to expand the number of shops or to bring about changes in

the method of allotment. Learned counsel points out that the licence fee is fixed, candidates are selected on the basis of lots, supply of the liquor is exclusively through A.P. State Beverages Corporation, the price at which the liquor is to be sold is regulated, and under these circumstances, the question of the licensees forming into a cartel or causing any loss to the revenue, does not arise. He also submits that there is no rational basis, in according differential treatment to licensees of
IL-24. He also submits that the principle laid down by the Supreme Court in ***Secretary to Govt., Tamil Nadu v. K.Vinayagamurthy***[1]*,* squarely applies to the facts of the case.

9 . Sri M.R.K Chowdary, learned senior counsel submits that the decision as to renewal of existing licences has to be guided by the statutory roles and not by the administrative instructions. According to him, the Rules have been reversed in the instant case and even while the rule 26-A, that too, in its amended form provides for renewal, the policy contained in G.O.Ms.No.184 totally shuts the door for renewal of IL-24 licences. He states that the policy must be subservient to the Rules and not *vice versa*.

10. Sri D.Prakash Reddy, learned senior counsel, has referred to various provisions of the Rules as well as the forms of licences. He submits that nothing is discernible from G.O.Ms.No.184, as to the object sought to be achieved by the Government. Learned counsel submits that the three aspects contained in the preamble to G.O., viz., a) streamlining the sale and consumption of liquors, b) elimination of cartel in liquor trade; and, c) making the quality of liquor available to consumer at affordable prices, do not warrant the cancellation of existing licences, by refusing renewal. He urges that none of the three aspects have any bearing on the object, if any, sought to be achieved. He further submits that the necessity to refuse to renew the existing licence would have arisen, if the policy provided for reduction of the shops, or alteration of privilege fee, or method of selection. He urges that, when the number of shops is increased by 700, and the licence fee and selection procedure are not altered, there

was no justification in denying refusal. Learned Senior Counsel submits that the justification (augmentation of financial resources) pleaded by the Government of Tamil Nadu, in ***Secretary to Govt., Tamil Nadu v. K.Vinayagamurthy*** *(1 supra)*, is not present in this case, and contends that when such a justification was not found acceptable by the Supreme Court as a basis for refusal to renew the existing licences, the instant policy stands on a weaker footing. He also contends that except for cosmetic differences, IL-17 and 24(B) licences are functionally similar and that the action of the Government is discriminatory and arbitrary. He has pointed out the various paragraphs of the judgment of Supreme Court as well as that of the Division Bench of the Madras High Court, which gave rise to the appeal before the Supreme Court.

11. Sri P.Sri Raghu Ram, learned counsel submits that what is contained in G.O.Ms.No.184 cannot be termed as 'policy' and that there does not exist any basis for the same. By referring to the judgment of the Supreme Court in ***Comptroller and Auditor General v. Kamlesh Vadilal Mehta***[2], he contends that any policy is required to be based on a principle, and no such principle is discernible from the policy. He also places reliance upon a judgment of the Supreme Court in ***Union of India v. International Trading Co.***[3].

12. Sri Vedula Venkata Ramana, learned counsel appearing for some of the petitioners, submits that the policy of the State is not clear as regards the continuance of the existing licences. He submits that petitioners had invested huge amounts in the trade, with a legitimate expectation that the same procedure would be continued for the next Excise year. He also submits that though the petitioners do not have any fundamental right to carry on the trade in excise, their existing rights cannot be taken away, through arbitrary means. He contends that a policy decision is required to be in the larger public interest and there would have been justification for non-renewal of

licences, if only the IL-24 shops are proposed to be reduced. He places reliance upon a judgment of the Supreme Court in ***Bannari Amman Sugars v. C.T.O***[4]***.***

13. Sri Balamukunda Rao, learned counsel submits that a right is conferred on a licensee to seek renewal on the basis of the existing rules, as long as he complies with the conditions of licence. He has traced the genesis of the various Rules and submits that refusal to renewal, as a matter of policy, was never resorted to.

14. Sri Sai Ram Goud, learned counsel appearing in some of the writ petitions, submits that when a Government has chosen to increase the number of shops, there was no justification in not renewing existing licences. He states that if the object of the Government is to earn more revenue, the same could not have been achieved by marginally enhancing the privilege fee. Sri Gopala Rao, learned counsel submits that the policy, if any, contained in G.O.Ms.No.104 cannot overwrite the statutory rules, particularly the Rule 26-A. He contends that even the amended Rule 26-A provides for renewal, subject to discretion of the Government, and the discretion can never be taken away through a policy. To the same effect is the argument of learned counsel Sri Amaranadh Goud. He urges that in view of addition of 700 more IL-24 shops, it was not at all necessary to cancel the existing licences.

15. Sri E.Phani Kumar, learned counsel for the some of the petitioners, has drawn the attention of this Court to the various amendments carried to the Rule through G.O.Ms.No.206 dated 10.02.2005. He states that by amending the definition of '*off licence*' under Rule 3(h) and Rule 23(a) (xiii), to such an extent as to enable supply of liquor in sealed or capsuled bottles or "in any other manner", the distinction between an IL-24 and IL-17 licence is virtually taken away and in that view of the matter, there was no basis for maintaining a distinction between those two categories of licences, in the matter of renewal. He also refers to the relevant provision relating to licence in IL-24 (B) and states that it virtually blurs the distinction between a bar and a permit room. Learned counsel submits that the amended Rule 69(1) provides for seizure of the

unsold liquor at the expiry of the licence period and such a measure would be confiscatory in nature, without there being any fault of the licensee. He contends that the sole supplier being the agency of the State, it ought to have taken return of the unsold quantity, than to seize as a confiscatory measure without paying any price to it. Learned counsel further submits that the newly added Rule 70, which adds finality to the opinion of the Commissioner, cannot be sustained in law.

16. Learned Advocate General had advanced extensive arguments. He has referred to the provisions of the Act and the Rules, as well as to the various stages, which they passed through, and evolved to the present form. He submits that no individual can claim any right in trade in intoxicants and other related substances, and that it is always in the discretion of the Government to evolve suitable policy, in such matters, from time to time. He contends that the experience over the past few years indicated that on account of formation of cartels by some of the existing IL–24 licensees, the State was subjected to loss, and the liquor was being sold at higher prices, in some places. He submits that the policy decision, not to renew the existing licences, is aimed at breaking the cartels, and to ensure transparency in the matter of selection of licensees and supply of liquor to the consumers. According to him, the whole trade is sought to be streamlined, by taking recourse to number of measures, and the policy decision of the Government does not suffer from the legal infirmity.

17. He contends that there is a clear distinction between the licences of IL–17, on the one hand, and

IL–24, on the other hand, and the policy of the Government is based on a definite and discernable classification. He submits that the petitioners would also be entitled to submit their applications, and that it is not as if they are totally deprived of such an opportunity. He submits that the classification is not only based on rational criteria, but is also reasonable, and constitutes sufficient basis for the policy decision. According to the Learned Advocate General, the supply of liquor to all the licensees, in the state, is chanalised through A.P. Beverages Corporation, a Government of Andhra Pradesh

undertaking, and the purchases, which hitherto were restricted from the manufacturers within the State, are being undertaken from the manufacturers from all over the country. He urges that the interference with the policy decision of the Government is very rare and exceptional circumstances, and that the same do not exist in the present case. He relies upon the judgments of the Supreme Court in ***Amar Chandra v. Excise Collector, Tripura***[5]; ***State of A.P. v. McDowell & Co***.[6];

Krishnan Kakkanth v. Government of Kerala[7]

and ***M/s Ugar Sugar Works Ltd., v. Delhi Administration***[8].

18. According to the learned Advocate General, the important factor that constituted the basis for the judgment of the Supreme Court in ***Secretary to Government, Tamil Nadu v. K.Vijayagamurthy*** *(1 supra),* was that even while the policy for the block period 2001-2004 was in operation, the Tamil Nadu Government altered it, in between, and that such circumstance does not exist in the present case.

The Discussion:

19. Trade in liquor has several unique features. It is not comparable to ordinary categories of trade, in respect of which, the citizens are conferred with a fundamental right, under Article 19(1)(g) of the Constitution. The same was never considered to be in the public interest, and in view of the directive principles of state policy, contained in Article 47 of the Constitution, the State is conceded the maximum latitude, in regulation of the trade in intoxicants. It ranged from total prohibition to liberal regulation. While testing the validity of the various legislations, or administrative actions, the High Courts and the Supreme Court, maintained a uniform view that no citizen has a fundamental right, to undertake trade in intoxicants. However, the measures adopted by the State from time to time, in relation to this activity are not taken away from the purview of judicial review by the Constitutional Courts. The State is granted the maximum liberty in formulating its policies. But the basis for such policies, declared by the State itself, is subject to judicial scrutiny. The measures, for

implementation of such policies are also tested from the touchstone of reasonableness and fairness. The area of scrutiny in such matters, is limited to the one of discrimination and rationality.

20. In the State of Andhra Pradesh, prohibition existed till the excise year 1997-98. It was relaxed thereafter. As observed in the preceding paragraphs, different categories of licences are provided for, under the A.P. Excise Act and the Rules made thereunder. In the year 1998-99, 3211 IL-24 licences were granted. Few years thereafter, permissions were also accorded for opening the Bars. Whenever there existed more applications, than one, in respect of IL- 24 shops, the licensees are selected by drawal of lots, as provided for under Rule 31. There was phenomenal increase in number of IL–24 shops, year after year. By the year 2003-2004, it reached 7,609. There was marginal decline in the current excise year, and their number is about 6,800. The IL-24 licences, once granted, were being renewed, from time to time, in exercise of power under Rule 26-A. During the current excise year, namely 2004-2005, renewals were granted for few months, in view of certain developments, such as general elections, change of government etc. Such renewals were accorded in three phases, viz., March, July and September, 2004.

21. In continuity of the convention, to issue and pronounce the excise policy for the concerned year, the Government issued two orders namely, G.O.Ms.Nos.184 and 185, dated 07-02-2005. The first G.O., discloses the policy, in relation to IL-24, shops, and the other G.O., relates to IL-17, Bars. The important clauses in these policy statements read as under:

> "**G.O.Ms.No.184**: 1. The sale and consumption of liquor be made more streamlined. The necessary steps in this direction will be to effectively eliminate the cartels in liquor trade, throw open the trade to more competition and thus ensure availability of good quality liquor to the consumer at affordable prices.
>
> 2. The licenses of IL-24 (Retail Off Licenses) which are functioning during the year 2004-05 in the State, which will expire on
> 31-03-2005, shall not be renewed for the year 2005-06.

3. For the year 2005-06, 7,500 (Seven thousand and Five hundred) IL-24 Retail shops will be licensed in the State. The shops may be located in areas where there is requirement".

"**G.O.Ms.No.185**: 1. The Licenses of IL-17 (Bar Licenses) which are functioning during 2004-05 in the State, which will expire on
31-03-2005 will be renewed for 2005-06 at the option of the Licensees.

2. The Policy with regard to grant of Bar Licenses (IL-17) in force during 2004-05, will continue for the year 2005-06. In addition, Bar Licenses will be granted in all places where the population is more than 25,000 and in the Belt areas of 2Kms of the periphery of such places".

22. Rule 26-A of the Rules, which provides for the procedure for renewal of licences, was amended through G.O.Ms.No.991, dated 04-12-2004. Thereafter substantial amendments were carried through G.O.Ms.No.206, dated
10-02-2005. In this batch of writ petitions, the main challenge is to the policy, in relation to IL-24 shops as well as to the relevant amendments to the Rules. Reference to the policy, in relation to IL-17, is mostly by way of comparison.

23. Under the new policy, the State proposes to grant licences to 7,500 retail wine shops, as against the existing 6,800 shops. It may appear that the number of shops is increased. However, if the number of shops for the excise year 2003-04, namely, 7,609, is taken into account, the picture may not be so alarming. The basis, as spelt out in G.O.Ms.No.184, itself, for not renewing the existing IL-24 shops, is that the Government

a. proposes to make the sale and consumption of liquor more streamlined;

b. intends to eliminate cartels, and

c. wants to throw open, the trade, to more competition.

24. These three steps is said to be to, "*ensure availability of good quality liquor to the*

consumer at affordable prices". Whether this object accords with the provisions of the Constitution, would be considered at a later part of the judgment.

25. There cannot be any plausible objection for the steps taken towards or aimed at streamlining the sale and consumption of liquor. If, however, one keeps in view, the directive contained in Article 47, of the Constitution of India, such streamlining is required to be, in a direction, to discourage consumption of intoxicants. Neither in the counter affidavit, nor during the course of arguments, the State has come forward to spell out the nature of streamlining. Further, it is not indicated as to how, the non-renewal of the existing licences, can result in streamlining the sale and consumption of liquor. Much has been said about the cartels, in the counter affidavit. The respondents have formed an opinion that there is concerted effort on the part of the existing licensees, to cause loss to the revenue, and to act, detrimental to the interests of the Government and public. In the counter affidavit, the respondents explained as to how the cartels came into existence and how they operate; thus:

> "Whenever, the Government wished to establish additional shops with an intention to check the cartels by inducting fresh licenses, the traders re-grouped themselves and strived hard to nullify Government's actions by forming into cartels and reducing the number of shops which is clear from the table. It is relevant to submit that for the period 2004-05, the validity of the existing licenses was extended in three spells, subject to payment of License fee. At the time of every extension, there was reduction in the number of shops due to formation of cartels resulting in loss to the public ex-chequer and detrimental to the interest of consumers.

No. of shops No. of shops No. of shops No. existed No. of shops

at the end of established which did during the closed for

Year the previous additionally not renew year other reasons

year due to cartel

1998-1999 3211 3709 68 6852

1999-2000 6852 742 6017 93

2000-2001 6017 731 241 6507

2001-2002 6507 615 59 7056 7

2002-2003 7056 802 231 7609 18

2003-2004 7609 481 7118 10

2004-2005 7118 209 6859 50

(Break up)

End of

March, 04 7118 26 7092 22

July, 04 7070 125 6945 28

Sept, 04 6917 58 6859

It is respectfully submitted that, in spite of a lapse of seven years, the number of shops could not be stabilized according to requirement, year after year. In fact the number of shops that are existing as of now is almost equal to the shops that existed during 1998-99 in spite of growth in population and growth due to other natural factors. It is also respectfully submitted that in spite of Government taking necessary steps to substitute closed shops, the cartels succeeded in stalling the same to serve their own interest".

26. Two more factors are attributed to the formation of cartels, viz., the action of some

of the existing licensees in filing W.P.No.9367 of 2001 and batch, when the Government permitted creation of new shops through G.O.Ms.No.177, dated 08-03-2001, and their filing W.P.No.21498 of 2003, questioning the booking of cases for violations of recommended maximum retail price, in selling the liquor. In both the instances, the cases ended in favour of the Government. The result, which the respondents expect, on account of refusal to renew the licences, is spelt out as under:

> "…When a new set of Licensees are in place after 1.4.2005, who have been granted licenses through a transparent method of selection, it is hoped that the existing equations in the trade would be erased and the trade will be thrown open to healthy competition. It is submitted that there is a direct nexus between the object sought to be achieved and the decision not to renew the existing licenses automatically…".

27. It is true that the intervention by the Courts, in policy matters, that too, in the business, in intoxicants, is very restricted. However, when the Government spells the reasons, in support of its decision, the Courts are entitled to examine the same, in arriving at a conclusion, as to whether the reasons so spelt out, would sustain the policy. The fact that a second opinion is possible on such policy matters, is no ground for the Court, to substitute its own opinion, for that of the Government. The evaluation of reasons, furnished by the Government, in support of policy, becomes necessary to verify, whether there exists any nexus between the action taken and object sought to be achieved. The action taken in the instant case is not to renew the licences, and the object sought to be achieved, is to throw open the trade, in liquor, to healthy competition.

28. It is not as if the respondents have brought about any new method of selection of licensees. Rule 31 of the Rules, prescribes that whenever their exists more number of applications, for any particular shop, the licensee shall be selected by drawal of lots. The same procedure continues, for the current excise year also. Three factors, which weighted with the respondents for forming an opinion as to existence of cartels. They are

a. some of the licensees did not opt for renewal of licences;

b. order of the Government, to increase the number of shops, was challenged, and

c. booking of cases, for violating the RMRP, were assailed before this Court.

29. As for the first reason, it needs to be noticed that the Rules clearly prohibit opening of more licences, than one, by an individual. Further, the licensee was selected on the basis of drawal, except where they were the only applicants. The supplies are from a Government agency, at a specified price. Each and every item so purchased is liable to be accounted for. The licence fee is fixed under the Rules. The reasons as to why an existing licensee did not seek renewal in the next year, cannot be uniform. In some cases, it may be on account of financial difficulties; in certain cases, it can be on account of losses, that may have been sustained by the licensee, and in yet other cases, it may be due to unhealthy competition. For instance, the number of shops at the beginning of the excise year 1998-99 was 3211. The Government established additional 3709 shops. This, naturally shakes the business equations, of the existing shops. 742 licences did not seek renewal for the next excise year. All such instances were attributed to cartels. It only discloses the effort of the excise officials, to keep their sole object of achieving the targets of sale of intoxicants, at any cost. At any rate, the refusal by an existing licence to seek renewal is not going to result in closure of that shop for ever. The respondents can grant licence to another person, in accordance with Rule 31.

30. Coming to the other reasons spelt out in the counter affidavit, it is evident that the respondents have taken exception to the very act of some of the licensees in approaching this Court. They seemed to be reeling under the impression that, availing the remedy in a High Court is an objectionable act. It is difficult to countenance such autocratic approaches. To certain extent, this approach of the respondents is reflected in Rule 70, added through an amendment. It reads as under:

> "**Rule-70: Interpretation**:- If there is any doubt or dispute regarding the application or interpretation of any of these rules, the decision of the Commissioner thereon shall be final."

31. It is permissible for the Legislature to enact laws, for subordinate legislature, to frame Rules, and for the implementing agency, to take decisions. However, the interpretation of the Rules, under any Constitution, is a function assigned to Courts. An executive authority can never have a final word in the matter of interpretation. If such a course is permitted, it may prove detrimental to the Rule of Law and the very functioning of democracy.

32. It is not indicated as to how the trade would be thrown open to more competition, if the existing licences are not renewed. It is not as if the person, who is going to be granted a licence, in the place of the petitioners, is to function under any different circumstances, be it, as to licence fee or number of shops or new business regime. A higher degree of competition, is anyway going to be ensured by adding 700 more shops to the existing ones. Therefore, this Court does not find any basis, in the reasons spelt out by the respondents, in support of their decision, not to renew the existing licences.

33. The issue needs to be examined from another angle. The Government declared its policy, in relation to three categories of licences namely, IL-17, IL-24 and IL 24-B. It has been decided by the respondents to renew the existing IL-17 licences. The refusal is in respect of IL-24 and IL 24–B licences. The functional difference between these categories of licences is this: In case of IL-17 (Bars), the customer is supplied the liquor, and is required to consume the same in the premises. The relevant rules stipulate the nature of facilities, that are required to be provided for, to the customers. In case of IL-24 licences, a customer is not permitted to consume the liquor in the premises of the shop. An IL 24-B shop, in a way, is a hybrid of IL-17; and IL-24. On

payment of additional fee, an IL-24 licensee, is granted IL-24-B licence, and shall be entitled to maintain a permit room. In such cases, the customers are entitled to purchase liquor and consume it in the permit room. In excise terms, IL-17 and IL 24-B are "*on licences*"; whereas IL-24 are "*off licences*". The relevant definitions under Rule 3 (h) and (i) read as under:

> **"Rule 3 (h)**: '*off licence*' means a licence granted under these rules for sale of the liquor in sealed or capsuled bottles without permitting consumption on the licensed premises;
>
> –
>
> **Rule 3(i)**: '*on licence*' means a licence granted under these rules for sale of the liquor in open bottles, glasses, or pegs for consumption within the licensed premises;"

34. Rule 3 (h) has been amended through G.O.Ms.No.206, dated 10-02-2005, which read as under:

> "*Off License*" means a license granted under these rules for sale of the liquor in sealed or capsuled bottles or in any other manner without permitting consumption on the licensed premises".

35. Rule 23 (b) (xiii) defines the parameters of IL-24 licences. It was correspondingly amended, from the point of view of sale of liquor and the consumption thereof. There does not exist any significant difference among the various categories of licences, referred to above, in the context of the object sought to be achieved through the new policy. It cannot be denied that, though a citizen does not have a fundamental right in doing business in intoxicants, the State action in regulating such business has to accord with the principles of reasonableness and fairness. Even in the trade in intoxicants, the State can not claim that it has the prerogative to act, as it likes, and that its actions cannot be tested on the touchstone of reasonableness or fairness. Whenever it intends to accord differential treatment, to different categories of persons, or licensees, it has to satisfy the Courts, that there exists a reasonable classification, to justify such differential treatments.

36. Classification, in the context of examining the State action under Article 14 of the Constitution, has its own attributes. For the most part of it, the similarity or variation of any two sets of activities or objects, has to be determined, from the relevant perspective. No two similar situations can be identical, or similar, from all points of view. It is only the perspective with which, the comparison or contrast is undertaken, that results in treating the circumstances or things, either similar or different. What Article 14 frowns at, is, differential treatment, if accorded, to persons or situations, which are broadly on the same plane, from the context of the treatment sought to be accorded. The difference between the two categories, which are sought to be distinguished, has to clear and discernable, from the point of view of the concerned activity. Constitution does not permit of, an artificial differentiation. Viewed from this angle, the functional differences among the various licensees, or the lack of it, do not support the classification, from the limited context of grant or refusal of renewals to the existing licences.

37. A situation similar to the one, obtaining in this batch of writ petitions, arose before the Madras High Court. By the commencement of the excise year 2002-03, in the State of Tamil Nadu, there existed 6,000 retail-vending shops of liquor. The licensees were granted under a policy, enunciated for the block period of 2001–2004. Through Government Orders dated

08-07-2002, the number of shops was proposed to be increased to 7,000, and it was proposed, not to renew the licences of the existing 6,000 shops. The existing licensees challenged the action of the State Government, on several grounds. It was urged on behalf of the State that the proposed action was resorted to, with an object of augmenting the State revenues. While upholding the policy, in all other respects, the High Court disapproved the action of the state Government, insofar as it provided for denial of renewal to the existing licences. The High Court found that there does not exist any nexus, between the proposed action, and the objects sought to be achieved. A finding was recorded to the effect that, the action was meant, only to disable the

existing licensees, from getting their licences renewed. The matter was carried to the Supreme Court. After referring to the contentions of the parties and the findings recorded by the High Court, the Supreme Court held as under:

> "[I]n our view, the High Court rightly came to the conclusion that the aforesaid decision was nothing but an arbitrary and whimsical one taken by the State government, only to replace the existing licensees by a fresh set of persons by a fresh drawal of lot. Even though the licensees under the earlier policy may not claim an absolute right of renewal but it cannot be denied that under G.O.Ms.No.115 read with the excise policy evolved for the block period 2001-2004 and the relevant provisions of the Act and Rules, contemplate a case of renewal and this is also apparent from the recommendations of the Excise Commissioner himself on the basis of which the State Government came forward with the revised policy and a new set of rules by enacting G.O.Ms.Nos.128, 129 and 130. We have, therefore, no hesitation in affirming the conclusion of the Division Bench of the Madras High Court that the portions of G.O.Ms. dealing with the non-renewal of the privileges granted to the existing lecensees subject to their fulfilling the other conditions of the provisions of the Act and the rules to be arbitrary. We are, therefore, not persuaded to interfere with the conclusions of the High Court, so far as it deals with the dispensing with the right of renewal of the existing licensees under the present set of G.O.Ms. which fell before the High Court for consideration. Necessarily, therefore, the appropriate excise authority will have to decide the case of the applicants for renewal of the licences in accordance with the Rules as well as the other conditions of the licences…"

38. Learned Advocate General sought to distinguish the present case with the one, which is the subject matter of the above judgment. According to him, the licences in question, in the State of Tamil Nadu, were issued under a policy, for the block period of 2001-2004, and the interference by the High Court and the Supreme Court was mostly on account of the fact that the arrangement was sought to be disturbed in the middle of the block period.

39. This argument would certainly have been acceptable, had it been a case, where, the licences were granted for the block period of three years and were attempted to be discontinued, in between. That is not so. Though the policy was enunciated for the block period 2001-2004, the licences were granted for a period of only one year, providing for renewal thereafter. But for the policies enunciated year-after-year, the licences in the State of Andhra Pradesh are also renewable under Rule 26-A. Even

the amended Rule does not take away the right of renewal altogether. The amendment makes such renewals, subject to the policy of the Government. The amendment in fact, does nothing more, than making the renewal discretionary. Discretion, in respect of any exercise of any power, has to be guided by proper and legal considerations. Basically, the policy of the Government is reflected in statutory rules. Even assuming that it is permissible to frame policy, outside the realm of the statutory rules, there cannot be a policy to such an extent, as to render the very statutory rule, to a dead letter. Therefore, this Court is of the view that the principle laid down by the Supreme Court in ***Secretary to Government, Tamil Nadu v. K.Vijayagamurthy*** *(1 supra),* squarely applies to the facts of the case.

40. The learned Advocate General relied upon several judgments rendered by the Supreme Court to sustain the impugned action. ***Amar Chandra v. Excise Collector, Tripura*** *(5 supra),* is a case in which the Government of Tripura cancelled the wholesale licence granted in favour of the appellant therein. The cancellation was on account of a policy decision taken by the State Government to grant such licences on tender-cum-auction basis. The appellant was granted licence on application. The Supreme Court upheld the action of the State, which was based on the policy. In the instant case, there is no change or shift in the policy in the matter of granting IL-24 licences. Rule 31 of the Rules continues to hold the field.

41. In ***State of A.P. v. McDowell & Co.,*** *(6 supra)*, the Supreme Court was dealing with the validity of prohibition imposed by the State of A.P. on the manufacture of liquor. Through Act 17 of 1995, the State of A.P. imposed prohibition on manufacture, sale and consumption of liquor in the State. Their lordships of the Supreme Court upheld its validity. Extensive reference was made to Article 19 of the Constitution and the decisions rendered thereon. It was in that context that the Supreme Court held that no individual can claim any right in the trade in liquor or intoxicants. The various steps

taken by the Government, which are under consideration in this case, are exactly in the opposite direction.

42. Another decision relied upon by the learned Advocate General is ***Krishnan Kakkanath V. Govt. OF Kerala*** *(7 supra)*, wherein the scope and ambit of Article 19 of the Constitution of India, particularly in the context of reasonable restrictions fell for consideration by the Supreme Court. The subject matter related to the imposition of restrictions as to purchase of pumpsets from the dealers approved by the Government. Such an action was held as not constituting any unreasonable restriction. No comparable fact situation obtains in the instant case.

43. Lastly, reliance is placed on the judgment in ***M/s.Ugar Sugar Works Ltd., v. Delhi Administration*** *(8 supra)*. Through a policy, the Delhi administration enhanced the 'Minimum Sales Figures' (MSF) from 60,000 cases existing in the previous excise year to 75000 cases for the relevant excise year. The object was to test the acceptability of particular brand of liquor, in other places before it is licenced to be sold in Delhi. Dealing with the contention, the Supreme Court held as under:

> "The argument that since MSF laid down for the year 1994-95 were not changed till 1998-99, there was no need to increase MSF requirements in 1999-2000 or to further increase the same in the year 2000-2001 for the lowest price tag brand of liquor from 60,000 cases (7.2 lac bottles) to 75,000 cases (9 lac bottles) for the current year, suffers from the basic infirmity that it invites the court to enter into an area of testing the executive policy, not on grounds whether it is "just, fair and reasonable", but whether the object could not have been achieved by fixing a lower MSF requirement. In other words Court is being invited to prescribe MSF requirements in exercise of its power of judicial review. That is not permissible and we must decline the invitation to enter that area. It is not within the province of this Court to lay down that the executive policy must always remain static, even if its revision is "just, fair and reasonable". What is relevant is to find out whether the executive action is *mala fide*..."

44. In fact, the above observation of the Supreme Court contains the answer to the submission of the learned Advocate General. It is impermissible for the Court to decide the parameters of a policy in exercise of its power of judicial review, but it can test the policy from the angles of fairness, reasonableness and rationality. These tests,

in turn, are the various facets of the broad principle underlying Article 14 of the Constitution of India. It is on application of those principles, and not as a result of considering the merits and demerits of the policy, that this Court finds that the refusal to renew the existing IL-24 licences cannot be sustained. Therefore, G.O.Ms.No.184, dated 07-02-2005, in so far as it directs that the existing IL-24 licences shall not be renewed, cannot be sustained.

45. In some of the writ petitions, the validity of certain amendments to the Rules effected through G.O.Ms.No.206, dated 10.02.2005 were challenged. Though submissions were made extensively in relation to various provisions, this Court is not inclined to examine the validity of all the provisions so challenged. For example, Rule 3(h) and Rule 23 (B) (xiii) of the Rules re-define the scope of 'off-licence' as well as 'Form IL-24 licence'. The State has the absolute power and discretion to provide for various kinds of licences and to define their scope and ambit. Courts cannot interfere with the same or substitute their opinion, for that of the enacted provision, even where they are convinced. The effect of Rule 70, which was introduced through amendment, attaching finality to the opinion of the Commissioner in the matter of interpretation of Rules, has already been dealt with in the preceding paragraphs and nothing further needs to be observed in relation thereto.

46. One important provision about which the petitioners have grievance is Rule 69(1) of the Rules.

Rule 69(1) of the Rules reads as under:

> "The Licencee shall sell in retail the entire Indian Liquor and Foreign Liquor before the expiry of the Licence. Any balance of Indian Liquor, Foreign Liquor and Beer found unsold at the expiry of the period of licence, shall be seized by the Prohibition & Excise Superintendent, or the officer authorized by him or Commissioner of Prohibition & Excise. Such seized IL & FL shall be permitted by the licencing authority to hand over to the licensee, provided that the licensee obtains a licence for the succeeding lease year. In case, the licencee fails to obtain/renew the licence the stocks seized may be sold to other licensees and the sale proceeds shall be remitted into Government treasury".

47. Sub-rule (2) provides for seizure in the event of cancellation or withdrawal of licences. There cannot be any objection for seizure of the stocks in the event of cancellation or withdrawal of licences as a punitive measure. However, seizure of stock from a licensee, whose licence has expired, cannot be sustained in law. The supply of liquor to a licensee is exclusively through the State Beverages Corporation. The sales of the liquor at a licensed shop may depend on several factors. If for any reason, the entire stock could not be sold, by the time the licence expired, the licensee must be given an opportunity either to surrender the stock to the supplier viz., the State Beverages Corporation, or to make over the same to another licensee, under the supervision of the concerned excise authorities. Seizure of stock, which invariably is a measure of penalty cannot be resorted to, against a person, who did not commit any illegality. It amounts to punishing and penalizing a person, who is not guilty of any wrong, and imposing such penalty without conducting any inquiry. Therefore, sub-Rule (1) of Rule 69 of the Rules cannot be sustained. Setting aside the same would result in a situation, where the licensee would continue to hold or deal with the stock, without proper licence. Therefore, the same shall be read down to the effect that the stock available with a licensee as on the date of expiry of his licence, shall be permitted to be surrendered to the A.P. Beverages Corporation and be entitled for refund of the cost thereof, after deduction of the amounts like sales tax etc. In case the Corporation does not take return of the stock, the licensee shall be entitled to make over or transfer such stock to another existing licensee under the supervision of an officer of a rank not below that of an Inspector of Excise. Accordingly sub-Rule (1) of Rule 69 shall stand read down.

The finding:

48. The result of the discussion undertaken in the preceding paragraphs is that G.O.Ms.No.184, in so far as it directs that the existing IL-24 licences shall not be renewed, cannot be sustained in law and stands accordingly set aside. It is true that in

W.A.No.2209 of 2002 (the subject matter of the judgment of the Supreme Court in ***Secretary to Govt., Tamil Nadu v. K.Vinayagamurthy***) *(1 supra)*, the Division Bench of the Madras High Court directed that the facility of renewal, be extended to the existing retail liquor licensees, and they be permitted to remit the requisite amounts by a particular date; and the same was upheld by the Supreme Court. However, having regard to the fact that the excise year 2005-06 is to commence from 01-04-2005 and that there are several options before the government, this Court feels it appropriate to leave it to the respondents to reformulate its policy in the light of the discussion undertaken above.

What next?

49. It is not known whether the State intends to evolve any other mechanism, once it realizes that it can not refuse renewal of IL-24 licences, as long as the existing number of shops is not reduced or the selection procedure under Rule 31 remains intact. Further, the Rules were amended through G.O.Ms.No.206 dated 10.02.2005, subsequent to the formulation of the policy. Parameters and contents of various licences have been redefined. G.O.Ms.No.184 does not contain any policy statement as to IL-24-B licences. In view of change of definition “off licence” in Rule 3(h) of the Rules and definition of ‘IL-24 licence’ under Rule 23 (a) (xiii), the entire issue needs to be given a fresh consideration.

50. Now that an occasion arises for the State, to formulate its policy, its attention needs to be drawn to certain aspects of the matter. The Constitution has enumerated Directive principles, which are required to be kept in view, by the State, while formulating its policies. Several enactments and amendments to Constitution, were brought about, as measures to implement the Directive principles. Such laws were upheld even where a conflict was found with the fundamental rights. It is not necessary to delve, deep into the same. It is true that the Directive principles are not enforceable, as is evident from Article 37 of the Constitution. However on that account,

the State cannot absolve itself, of the liability to give effect to the Directive principles. The purport of Article 37 is that a corresponding right does not inhere in a citizen from the obligation of the State, to implement the Directive principles. In jurisprudential terms, the legal correlative of the duty of the State under Part IV of the Constitution, does not exist in any citizen. *(See Hohfeld's Legal Correlatives. Salmond on Jurisprudence Twelfth Edition Page 224 – 233)*. On that account, its obligation does not either ease or cease.

51. Some of the directives, enshrined in Part IV of the Constitution are such that they cannot be accomplished within a time frame or up to an expected degree. There are many principles, which constitute more a guiding factor, than would result in concrete action. Though the compliance in such cases cannot be measured with mathematical precision, one must be able to perceive and discern, the intention and determination of the State to pursue the Directive principles, in the state policy. Three situations can be contemplated in this regard.

52. The first is where, the State takes steps to implement the Directive principles with necessary vigor. Instances of this are found in various legislations, enacted to implement agrarian reforms, abolition of child labour, protection of environment etc. Second situation is where the State fails to, or does not, take any steps for implementation of the directive, faced with variety of situations. Into this category, fall the inaction and inability in bringing about a uniform Civil Code, (Article 44) participation of members of management of industries (43-A) providing right to work, right to education and right to public assistance (Article 41) etc. The third is where the State action proceeds in a direction, totally opposed to what is enshrined in the Directive principles. If an example in this regard is needed, the steps taken by various states, to promote sale of liquor, of course, in the name of regulation, provide, the one. Article 47 of the Constitution commands that,

> "The State shall regard the raising of the level of nutrition and the standard of living of its people and the improvement of public health as among its primary duties and, in particular, the Sate shall endeavour to bring about prohibition of the consumption except for medicinal purposes of intoxicating drinks and of drugs which are injurious to health."

53. In contrast, what the State of A.P. has been doing for the past few years is exemplified in the preamble to G.O.Ms.No.184. It proposes to

> "throw open the trade to more competition and thus ensure availability of good quality liquor to the consumer at affordable prices".

54. This policy statement is nothing but the culmination of the similar steps taken in the preceding years. Ever since the year 1998, the effort has been to promote the sale of liquor to the maximum extent. The content of the policies centered around this object. From a total prohibition, the objective shifted to promotion of sale of liquor. Aggressive marketing techniques were adopted. The call of the day, or need of the hour was to make available more and more liquor, to the customers. The result is that liquor is available virtually at the doorsteps of the citizens. The statistics made available by the learned Advocate General disclose that about 1,45,000 applications are received for grant of licences for 7,500 I.L.-24 shops. Non-refundable application fee is more than 70 crores. It indicates the extent and levels, to which the trade was promoted.

55. When the Constitution recognized the consumption of alcohol as an evil and exhorted that the State shall endeavour to bring about prohibition, one has to think over, as to how far the various steps taken by the Government of A.P. in the past few years accords with that.

56. Rich people living in urban areas may be having their own style of life or may have treated consumption of liquor as symbol of their status. However, encouraging a

common man, particularly in rural areas, to resort this most dangerous and wicked of the vices, cannot be justified even with the best of the reasons. The inability to control mafia, during the prohibition, which is pleaded as an excuse to abandon prohibition, reflects the weakness or helplessness of the State. It also raises doubt about its conviction to the noble object of prohibition. No state can take credit in doing what the mafia used to do, in the name of driving way, or containing the mafia. If that is the guiding factor, most of the crimes defined under IPC deserve to be regularized, since they could not be banished even after one-and-half centuries of enforcing Penal Code. In the hunt for easy money in the form of licence fee, and commission on sale of liquor, the State did not hesitate to sacrifice the lives and health of millions of gullible people, the welfare of equal number of families and the corresponding dignity and decency in the society.

57. In the name of providing liquor to the 'common man' at affordable prices, the State has forgotten or neglected the plight of the 'common woman' and 'innocent children'. Many vices spoil the individual who is addicted to it. Intoxication is a vice, which spoils not only the person, but also his family. It does not stop there. The behaviour of an ebriated person would have its impact on every person, whom he comes across. The effort he makes to secure the money to purchase the liquor, and his mental condition, after the consumption, hardly need any emphasis. His beastly behaviour shuns decency and promotes crime. The most vulnerable to this vice are the women and children. It is not a coincidence that the State secured a prominent place in the spread of AIDS. There is a significant contribution of the excise policies of the recent years, to that position, or achievement, one may call it. In both the cases, the effort is only to tackle the manifestations of the evil, than to address the root cause. The result is that in the former case the policy drive is ending up sales promotion of condoms, while in the latter, it has boosted the sale of liquor.

58. It is true that it is difficult to achieve the object enshrined in Article 47 of the Constitution of India, in its entirety within a particular time. However, there does not

exist any justification or basis for the State to undertake the acts, which defeat the said object, or to promote what was required to be prohibited.

59. Civilization and culture are not the things, which are built overnight or in few years. It is the cumulative effect of the works of right thinking people and the result of noble conduct of many, for centuries together, which bring about them. A pattern of life comes into existence through efforts of great men. In a democratic form of Government, the State is conferred with the right and endowed with the duty, to preserve cherishable values and to supplement the same from time to time. If the State's policy is designed to destroy the same, directly or indirectly, the results are not too difficult to be imagined.

60. It is not as if there is any section in the society, particularly those who are endowed with the responsibility of formulating policies, are not aware of these fundamental aspects. The fact that every political party, in every election manifesto swears to bring about prohibition, either in a phased and gradual manner or at once, indicates their determination to achieve the same. Many a time, notwithstanding such noble assurances, decisions are taken which operate exactly, the opposite direction, irrespective of the party in power, obviously faced with a grim situation of finances. Howsoever the financial needs of the State may be, it cannot depend on funds, derived out of an unfortunate vice. If that is the yardstick, the sovereign function of the State gets reduced to the one, of collection of percentages by permitting objectionable activities.

61. Even under the existing law, crimes of lesser magnitude, and consequences, compared to the vice of intoxication are punished and fined. The effect of those inconsequential crimes on the society, is relatively small. The endeavour of this Court is only to impress upon the policy makers or those who can influence the formulation of the policy, to give a thought to the matter, keeping in view, the objective underlying the Constitution as well as the welfare of the society. What is needed is a small amount of paradigm shift, and determination to fight the evil. It is not an issue which

can be tackled by the Government alone. All sections, including the Government, the opposition, the executive, social organizations, and the local authorities, need to pay a little more attention to this, cutting across their party affiliations or functional limits.

62. Under the existing Panchayat Raj system, the permission of the Gram Panchayat, by a resolution, is needed even for the purpose of establishing any industry or to establish a market etc., to see that the activities undertaken in such places do not have any deleterious affect on the residents of the village. There is no reason why the view of the Panchayat be it in the Gramsabha or the Gram Panchayat be not required before a licence is granted for establishing bars or wine shops in that village. The residents of the village, particularly the women folk, would be in a position to know as to who exactly are the persons, responsible for bringing about such shops, and take remedial steps. Entrusting the gram panchayat or local bodies with the control and regulation of such shops in coordination with the excise officials go a very long way, in containing the menace. Committees at village levels can be constituted on par with the existing Education Committees, Irrigation Committees etc.

63. In these days of acute drought and phenomenal unemployment, indiscriminate opening of wine shops and bars may bring with them, the corresponding amount of damage to the society in terms of values of life, rural economy and vulnerability of human health. At a time when hundreds of farmers are committing suicide, villages together are migrating for livelihood and women, even in coastal areas, are required to walk kilometers, to fetch drinking water, it has to be thought over as to how far it is proper to promote sale of liquor, by opening new shops and bars. In fact, the situation demands the reduction of existing ones. Revision of policy or reduction of shops may not solve their problems. But they would at least feel that their misery and plight is not being celebrated. The legislators of all the political parties, leaving aside their ideological differences, need to address the issue dispassionately, lest, the ordinary person in the street gathers an impression that the whole political system has made his or her life vulnerable and miserable. This Court does not have any doubt that

having regard to the maturity of the legislators, conviction in the executive and concern of the voluntary organizations, for the welfare of the society, it is not at all a difficult task to bring about a policy in this regard, in such way as would maintain a perfect balance between the need of the State on the one hand, and necessity to preserve the values in the society on the other. Only this much can be said that any failure on this front would be very costly, and the results of failure would be felt, only in the later years to come. It would be too late to think, when the results manifest themselves.

The Result:

64. For the foregoing reasons, the writ petitions are allowed, directing that,

a) G.O.Ms.No.184, dated 07.02.2005, in so far as it prohibits renewal of existing IL-24 licences for the forth coming Excise year 2005-06, is declared as arbitrary and unreasonable and violative of Article 14 of the Constitution of India and, set aside to that extent.

b) It shall be open to the Government to formulate its own policy, in accordance with law, by taking into account the observations made by this Court in the preceding paragraphs.

c) Rule 69(1) of the Rules amended through G.O.Ms.No.206, dated 10.02.2005, is read down to the effect that it shall be open to the licensee to surrender the left over stock, on the expiry of his licence, the A.P. State Beverages Corporation, which, in turn, shall refund the cost of the same by making permissible deductions.

In the alternative, such licensee shall be permit-ted to transfer or make over the stock to an existing licensee, under the supervision of an officer of the Excise Department, not below the rank of Inspector.

d) Rule 70 of the Rules, to the extent it attaches finality to the interpretation placed by the Commissioner of Excise, is set aside.

e) There shall be no order as to costs.

_____

L. NARASIMHA REDDY, J.

Dt.24–02-2005.

Note:

L.R. copy to be marked.

*(B/O) KO/JSU**

To

(One fair copy to the Hon'ble Sri Justice L.Narasimha Reddy,

for his Lordship's kind perusal)

1 The Special Chief Secretary, Revenue (Excise-II) Department,
Government of Andhra Pradesh, Secretariat Buildings, Hyderabad.
2 The Principal Secretary, Revenue (Excise-II) Department,
Government of Andhra Pradesh, Secretariat Buildings, Hyderabad.
3 The Commissioner, Prohibition & Excise, Nampally, Hyderabad.
4 The Excise Superintendent, Prohibition & Excise, Hyderabad.
5 The District Collector, Hyderabad.

6 The Deputy Commissioner, Prohibition & Excise, Visakhapatnam.
7 The Superintendent of Excise, Prohibition and Excise, Visakhapatnam.

8 The District Collector, Visakhapatnam District, Visakhapatnam.

9 The Superintendent of Excise, Srikakulam District, Srikakulam.

10 The District Collector, Srikakulam District, Srikakulam

11 The Deputy Commissioner, Prohibition & Excise, Ananthapur

12 The Superintendent of Excise, Ananthapur District, Ananthapur.

13 The Deputy Commissioner, Prohibition & Excise, Kurnool

14 The Superintendent of Excise, Prohibition & Excise, Kurnool

15 The Superintendent of Excise, Prohibition & Excise, Khammam

16 The Superintendent of Excise, Prohibition & Excise, Kadapa

17 The Superintendent of Excise, Prohibition & Excise, Warangal

18 The Superintendent of Excise, Prohibition & Excise, Mahaboobnagar

19 The District Collector, Krishna District at Machilipatnam

20 The Superintendent of Excise, Prohibition & Excise,

Krishna District at Machilipatnam

21 The District Collector, Chittoor District, Chittoor.

22 The Superintendent of Excise, Prohibition & Excise, Chittoor.

23 The District Collector, West Godavari District at Eluru

24 The Superintendent of Excise, Prohibition & Excise,

West Godavari District at Eluru

25 The District Collector, Vizianagaram District, Vizianagaram.

26 The Superintendent of Excise, Prohibition & Excise, Vizianagaram

27 The Superintendent of Excise, Prohibition & Excise, Rangareddy District.

28 The Deputy Commissioner, Prohibition & Excise,

East Godavari District at Kakinada.

29 The Superintendent of Excise, Prohibition & Excise,

East Godavari District at Kakinada.

30 The Deputy Commissioner, Prohibition & Excise,

Prakasam District at Ongole.

31 The Superintendent of Excise, Prohibition & Excise,

Prakasam District at Ongole.

32 The Superintendent of Excise, Prohibition & Excise, Nizamabad

33 The Deputy Commissioner, Prohibition & Excise, Guntur

34 The Superintendent of Excise, Prohibition & Excise, Guntur

35 The Superintendent of Excise, Prohibition & Excise, Nellore

36 The Deputy Commissioner, Prohibition & Excise, Karimnagar

37 The Superintendent of Excise, Prohibition & Excise, Karimnagar

38 Two C.Cs to the Advocate General, High Court buildings, Hyderabad.

39 The Under Secretary, Ministry of Law, Justice and Company Affairs,

Union of India, New Delhi.

40 The Secretary, A.P.Advocates' Association, Library,

High Court buildings, Hyderabad.

41 8 LR copies.

42 Two C.D. copies.

43 One copy to the Court Masters' Section.